

David Livingston

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V O T E S and P R O C E E D I N G S
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S T A T E O F N E W - Y O R K ,

At their second Session, begun and holden in the ASSEMBLY CHAMBER,
at *Poughkeepsie*, in *Dutchess* County, on Thursday, the first Day of
October, 1778.

POUGHKEEPSIE: (*Dutchess County*) PRINTED BY JOHN HOLT,
PRINTER TO THE STATE OF NEW-YORK.

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P O U G H K E E P S I E, in *Dutchess* County, *October* 13, 1778.

HIS Excellency the Governor, having by Proclamation, bearing Date the first Day of *September* last, convened the Legislature of this State at this Place, on the first Instant, several of the Members of this House, accordingly met on that Day, and a sufficient Number of Members to proceed on Business, not appearing, the House adjourned from Day to Day until this Day, when the following Members appeared, viz.

City and County of *New-York*

Evert Bancker,
Frederick Jay,
Daniel Dunscomb,
Robert Harpur, Esqrs.

City and County of *Albany.*

Killian Van Rensselaer,
Robert Van Rensselaer,
Stephen J. Schuyler,
Jacobus Teller,
Peter Vrooman,
Walter Livingston,
John Taylor,
William B. Whiting,
Leonard Gansevoort, Esqrs.

Suffolk County.

Thomas Tredwell,

Ezra L'Hommedieu, Esqrs.

Ulster County.

Johannis Snyder, Esq;
Cornelius C. Schoonmaker, Esq;

King's County.

William Boerum, Esq;

Westchester County.

Zebediab Mills,
Thaddeus Crane,
Joseph Benedict,
Stephen Ward,
Ebenezer Lockwood, Esqrs.

Orange County.

Jeremiah Clark,
Roeluff Van Houten, Esqrs.

Dutchess County.

Egbert Benson,
Anthony Hoffman,
Joseph Crane, jun.
Samuel Dodge,
Jacobus Swartwout,
Dirck Brinckerhoff, Esqrs.

Tryon County.

Abraham Van Horne,
John Newkirk,
Peter Waggoner, jun.
George Henry Bell, Esqrs.

Charlotte County.

Albert Baker, Esquire.

Walter Livingston, Esq; being one of the Commissioners appointed for that Purpose, the other Members severally took and subscribed before him the Oath of Allegiance as by Law prescribed. Mr. *Livingston*, then produced a Certificate of his having on this Day, taken and subscribed the said Oath, before the Honorable *Pierre Van Cortlandt, Esq;* one of the Commissioners, appointed for that Purpose.

The House then unanimously elected Mr. *Livingston*, to be their Speaker, and placed him in the Chair accordingly.

Ordered, That Mr. *Gansevoort* and Mr. *Dunscomb*, wait on his Excellency the Governor, and inform him that this House is met, and ready to proceed on Business.

Ordered, That Mr. *Schuyler* and Mr. *L'Hommedieu*, wait on the Honorable the Senate, and inform them that this House is met, and ready to proceed on Business.

Mr. *Gansevoort* reported, That Mr. *Dunscomb*, and himself, had waited upon his Excellency the Governor, with the Message of this House, and that his Excellency was pleased to inform them, that he would send for the House immediately to the Senate Chamber, and lay the Business of the Legislature before them.

A Message from his Excellency the Governor by Mr. *Lush*, his private Secretary.

Mr.

Mr. Speaker,

His Excellency the Governor requires the immediate Attendance of this House, in the Senate Chamber.

Mr. Speaker left the Chair, and with the House attended accordingly, and being returned, resumed the Chair and reported, that his Excellency the Governor had been pleased to make a Speech to the House, and to present him with a Copy thereof, which being read, is in the Words following, viz.

"Gentlemen of the Senate and Assembly,

"The Enemy by the Evacuation of *Philadelphia*, and their removal to the City of *New-York*, have again made this State the principal Seat of War. I am happy however, to inform you, that instead of effecting the Conquest of the United States of *America*, their main Army, after several fruitless Campaigns (on their Part barbarously and cruelly conducted) is at Length, through the Vigilance of his Excellency General Washington, and the Spirit and Bravery of the Troops, under his Command, confined to defensive Operations only. And there is the greatest Reason to hope, that with the Blessing of a Kind Providence, we shall be enabled speedily to bring the War to a Happy and Honorable Conclusion; and perfectly establish our Freedom and Independence.

"Our Northern Frontier has, this Season, remained in a state of Tranquility, and the Inhabitants been thereby favoured with an Opportunity, of recovering in some Measure, from the extreme Distress, to which they were reduced, by the Operations of the last Campaign.

"I am, at the same Time, Gentlemen, unhappy to inform you of the Ravages committed on the Western Frontier; and the Destruction and Desolation of several valuable Settlements in the Counties of *Tryon*, *Albany* and *Ulster*, by the Savages, in Conjunction with the disaffected Subjects of this and the Neighbouring States. On the first Appearance of Hostilities in that Quarter, I ordered into actual Service, a considerable Part of the Militia, for the Protection of the exposed Inhabitants; but every Exertion I have been able to make for their Security, tho' burthensome to the Militia, and very expensive to the Public, has (owing to the Extent of Country to be guarded, against an Enemy carrying on a desultory War) proved ineffectual.

"The Disaffection and turbulent Conduct of many of the Inhabitants of the North-Eastern District of this State, will claim your Attention; and call for such Measures as Justice, the public Good, and the Honour of the State may demand.

"Gentlemen of the Legislature,

"As the Terms for which the present Delegates in Congress, and the Members of the Council of Appointment for this State, were elected, are expired, it will of Course, be your first Business to proceed to the Election of proper Persons, to fill those important Offices.

"The continued Depreciation of the Paper Currency, is a Circumstance of the most alarming Nature; temporary Expedients, such as Laws for the Reduction of Prices, tho' they may serve for a Time to palliate, will in the End, be found to increase the Evil. The only effectually Remedy, is that of reducing the Quantity of circulating Currency by Taxation; a Measure which I would wish to recommend to your particular and early Attention; for exclusive of every other Consideration, no Time can be more proper than the present, for paying off our public Debts by Taxes, when the Staple Commodities of the State command the most advanced Prices.

"By the 35th Section of our Constitution, the Laws of this State, are necessarily become complicate; and as every Member of Society is materially interested in the Knowledge of the Laws, by which he is governed; I am induced to believe, a careful Revision of the Laws of this State, would be an acceptable Service to your Constituents, and attended with the most salutary Effects.

"In the Course of the War, this State has frequently been charged by Congress, with the Superintendence and Management of various Kinds of public Business; in the Prosecution of which, large Disbursements have been occasionally made, and notwithstanding the Advances by Congress, I am informed a very considerable Balance remains due to this State: and as new Accounts are daily accruing; some proper and permanent Mode for the Liquidation and Settlement of the public Accounts of this State, is become necessary.

"You will readily perceive, from the Nature of the Service, it is not in my Power to render you an Account, to any fixed Period, of the Expenditures made in the Payment, and Subsistence of the Militia, who have been employed on the Frontiers. I have great Reason to believe, that they far exceed the Sum allowed, by the Legislature for this Purpose; and have therefore to recommend, that Provision be made, not only for discharging the extra Debt, that may have been contracted for this Service, but also, for enabling me

me to execute more effectual Measures for the Defence of the Frontier Settlements, against the Depredations of a Savage Enemy in Future.

"Gentlemen,

"There are many other Matters worthy of the Deliberation of the Legislature, which in the Course of the Session, I shall occasionally take proper Opportunities of laying before you.

"Your Zeal for the public Welfare, as well as the Duty you owe to your Constituents, will, I am persuaded, induce you to prosecute the Business of the present Session, with that Unanimity and Firmness, which become the Representatives of a free and virtuous People; and the Necessity there is (during the unsettled State of our public Affairs) for your Presence in the several Counties in which you reside, will equally excite you to Dispatch.

G E O. C L I N T O N."

Poughkeepsie, October 13, 1778.

Resolved, That his Excellency's Speech be taken into Consideration immediately.---And the House proceeded to the Consideration thereof accordingly.

Ordered, That his Excellency's Speech, be forthwith printed.

Resolved, That a respectful Address be presented to his Excellency, in answer to his Speech.

Ordered, That a Committee be appointed to prepare the said Address; and Mr. L'Hommedieu, Mr. Benson, Mr. Taylor, Mr. Harpur and Mr. Ward, were appointed a Committee accordingly.

Ordered, That the further Consideration of his Excellency's Speech, be referred to a Committee of the whole House, and that the said Committee take the same into Consideration, on Friday next.

Ordered, That the Votes and Proceedings of this House be printed, from Time to Time, first being perused and signed by the Speaker, and that no Person, but such as he shall appoint, do presume to print the same.

Then the House adjourned until four o'Clock this Afternoon.

4 o'Clock, P. M. October 13,

THE House met pursuant to Adjournment.

Benjamin Birdfall, Esq; one of the Representatives for Queen's County, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

A Petition of Mary Rodgers, was read, and ordered to lie on the Table.

Ordered, That Mr. Benson, Mr. Swartwout, Mr. Bell, Mr. Snyder and Mr. Bancker, or any three or more of them, be a Committee of Ways and Means.

Ordered, That Mr. R. Van Rensselaer, Mr. Van Horne, Mr. Brinckerhoff, Mr. Lockwood and Mr. Schoonmaker, or any three or more of them, be a Committee of Privileges and Elections---That all Members that come, have Voices; that they have Power to send for Persons, Papers and Records, and that they report their Proceedings, with their Opinion thereon, to the House, from Time to Time.

Ordered, That Mr. Taylor, Mr. K. Van Rensselaer, Mr. Joseph Crane, Mr. Fredwell and Mr. Taller, or any three or more of them, be a Committee for Grievances---That they have Power to send for Persons and Papers, and that they report their Proceedings, with their Opinion thereon, to the House, from Time to Time.

Ordered, That Mr. Hoffman, Mr. L'Hommedieu, Mr. Ward, Mr. Harpur and Mr. Waggoner, or any three or more of them, be a Committee for Courts of Justice---That they have Power to send for Persons, Papers and Records, and that they report their Proceedings, with their Opinion thereon, to the House, from Time to Time.

Ordered, That Mr. Whiting, Mr. Jay, Mr. Dunscomb, Mr. Benedict and Mr. Birdfall, or any three or more of them, be a Committee, to see what Laws are expired or near expiring, and to report to the House from Time to Time, which of them they judge necessary to be revived or continued; and likewise what new Laws they shall conceive necessary to be made, for the Benefit of this State.

A Petition of Thomas Allen and John Stearns, of Pitsfield, in the State of the Massachusetts-Bay, praying to be relieved against certain Forfeitures, incurred under the Act for preventing the Exportation of Flour, Meal and Grain, out of this State, was read.

Ordered, That it be committed to a Committee, and Mr. Schoonmaker, Mr. Whiting and Mr. Dunscomb, were appointed a Committee accordingly.

A Petition of William Foster, a Private in the seventeenth Regiment of Militia, in the County of Albany, who was wounded and made Prisoners, in the Campaign of 1777, praying Relief, was read.

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The Petition of *Joseph Greves*, a Private in Capt. Baldwin's Company of Rangers, in the County of *Albany*, who was made Prisoner by the Enemy, at Sabbath-Day-Point, on the 20th of *March*, 1777, praying Relief, was read. And,

The Petition of *George Andries*, who was made Prisoner by the Enemy, on the Frontiers of the County of *Ulster*, praying Relief, was read.

Ordered, That the said three several Petitions be committed to a Committee; and Mr. *Brinckerhoff*, Mr. *Tredwell*, Mr. *Ward* and Mr. *Schoonmaker*, were appointed a Committee accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. *October* 14, 1778.

THE House met pursuant to Adjournment.

Elisamer Towser and *David Hopkins*, Esquires, Representatives for the County of *Charlotte*, appeared, and having severally taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took their Seats.

Mr. *Benson* from the Committee of Ways and Means, moved for Leave to bring in a Bill, for appointing Commissioners of Taxes, in the several Counties within this State.

Ordered, That Leave be given accordingly.

Mr. *Benson* then, according to Leave, brought in a Bill, entitled, "*An Act for appointing Commissioners of Taxes, in the several Counties within this State*," which was read the first Time, and ordered a second Reading.

A Petition of the monthly Meeting of the Society of the People called Quakers, held on the *Oblong*, praying to be excused from taking the Test Oath, was read.

Ordered, To lie on the Table, for the Perusal of the Members.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. *October* 15, 1778.

THE House met pursuant to Adjournment.

Burnet Miller, Esquire, one of the Representatives for *Suffolk* County, appeared; and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

Mr. *Benson*, from the Committee appointed to prepare a respectful Address, to be presented to his Excellency, in answer to his Speech, reported, that the Committee had prepared a Draft accordingly, which he read in his Place, and afterwards delivered in at the Table, where the same was again read.

Ordered, That the said Draft be referred to the Consideration of a Committee of the whole House, and that the House resolve itself into a Committee thereupon immediately.

The House then resolved itself into a Committee of the whole House, upon the said Address, and after some Time spent thereon, Mr. Speaker resumed the Chair, and Mr. *Duncomb* reported, that the said Committee had gone thro' and amended the Address; which Address, as amended, they had directed him to report, and he read the Report in his Place, and afterwards delivered the said Address, with the Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That it be engrossed.

A Message from the Honorable the Senate, by Mr. *Landon*, in the Words following, viz.

"State of *New-York*."

In Senate, *October* 14, 1778.

"Resolved, That the Honorable the House of Assembly be requested to appoint a Senator, for the Southern District of this State, in the Stead of the Honorable *Pierre Van Cortlandt*, Esquire, whose Seat, by his being elected to the Office of Lieutenant-Governor of this State, is become vacant.

"Resolved, That the Honorable the House of Assembly, be requested to appoint a Senator for the Southern District of this State, to fill the vacant Seat of the Honorable *Philip Livingston*, Esq; deceased.

Ordered, That Mr. *Landon*, carry a Copy of the foregoing Resolutions, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

The Petition of *Isaac Everitt*, who was some Time since made Prisoner by the Enemy, praying Relief, was read.

Ordered, That the said Petition be referred to the same Committee, to whom were referred the three several Petitions of *William Foster*, *Joseph Greeves* and *George Andries*.

A Message from the Honorable the Senate, by Mr. *Parks*, in the Words following, viz.

"State of *New-York*."

In Senate, *October* 15, 1778.

Resolved, If the Honorable the House of Assembly concur herein, that the Number of Delegates from this State, in General Congress, be five; that three of them at least, sta-

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tedly attend, and that any two of the three attending, be authorised to represent this State.

"Ordered, That Mr. Parks, carry a Copy of the foregoing Resolution, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

A Letter from John Henry, was read.

Ordered, That it be referred to a Committee, and Mr. Snyder, Mr. Newkirk and Mr. Mills, were appointed a Committee accordingly.

Resolved, That this House do concur with the Honorable the Senate, in their Resolution of this Day, on the Subject of electing Delegates, to the General Congress.

Ordered, That Mr. Vrooman and Mr. J. Clark, carry a Copy of the above Resolution of this House, to the Honorable the Senate.

The Bill entitled, "*An Act for appointing Commissioners of Taxes, in the several Counties, within this State,*" was read the second Time, and committed to a Committee of the whole House.

Mr. Jay from the Committee, appointed to see what Laws are expired, or near expiring, reported, the following Laws, necessary to be made for the Benefit of this State, viz.

"*An Act for the further supplying the five Continental Regiments, raised under the Direction of this State, with Shoes and Stockings, and other Necessaries.*"

"*An Act to confiscate and make Sale of all the real and personal Estates, of such Inhabitants and others, who have forfeited the same to this State.*"

"*An Act to amend an Act, entitled, an Act to prevent the Exportation of Flour, Meal and Grain, out of this State.*" And,

"*An Act to revise, digest, and print the Laws of this State.*"

Resolved, That this House do agree with the said Committee in their Report.

Thereupon, Ordered, That a Bill be prepared and brought in, for the supplying the five Continental Regiments, raised under the Direction of this State, with Shoes and Stockings, and other Necessaries; and that Mr. Treckwell, Mr. R. Van Rensselaer, and Mr. Benedict, prepare and bring in the same.

Ordered, That a Bill be prepared and brought in, to confiscate, and make Sale of all the real and personal Estates of such Inhabitants and others, who have forfeited the same to this State---And that Mr. Taylor, Mr. L'Hommedieu and Mr. J. Clark, prepare and bring in the same.

Ordered, That a Bill be prepared and brought in to amend an Act, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*"—And that Mr. Gansevoort, Mr. Dodge and Mr. Van Horne, prepare and bring in the same.

Ordered, That a Bill be prepared and brought in, to revise, digest and print, the Laws of this State,—And Mr. Benson, Mr. Brinckerhoff and Mr. Boerum, prepare and bring in the same.

Resolved, That this House will To-Morrow proceed to the Election of two Senators, for the Southern District, in the Room of the Honorable Pierre Van Cortlandt, Esq; whose Seat is become vacant, by his being elected to the Office of Lieutenant-Governor of this State; and the Honorable Philip Livingston, Esq; deceased.

The engrossed Address to his Excellency the Governor, was read, and approved of by the House.

Ordered, That the Speaker sign the said Address, in Behalf of the House, which is in the Words following, viz.

"To his Excellency GEORGE CLINTON, Esquire, Governor of the State of New-York, General of all the Militia, and Admiral of the Navy of the same.

"The respectful Address of the Assembly of the said State, in Answer to his Excellency's Speech, at the opening of the Session.

"May it please your Excellency,

"WE the Representatives in Assembly, of the State of New-York, beg Leave in Return, to congratulate your Excellency, on the pleasing Prospect, that, from the reduced Condition of the Enemy, the War will be speedily and honorably terminated; and consequently that our Freedom and Independence, will soon be perfectly established: And while we humbly acknowledge this Instance of the Divine Goodness, we cannot sufficiently admire and applaud the Vigilance and good Conduct of the General, and the Valour and Perseverance of the Army, who have been the happy Means of effecting these important Purposes.

"With your Excellency, we sincerely lament the late Devastations on our Western Frontiers; we have Confidence, however, Sir, that you have not been wanting in your Endeavours to protect those exposed Settlements; and your Excellency may be assured, that

that as far as the present Circumstances of the State will admit, we will readily make further Provision for their future Safety and Defence.

"It is with the greatest Concern, we learn from your Excellency, that Disorders still prevail in the North-Eastern Parts of the State—We hoped that the Inhabitants, in that Part of the Country, after the present Government of this State, had so evidently testified a Disposition to satisfy every Claim, consistent with Justice; would at least have made Overtures towards an Accommodation—That from a Consciousness that they might safely have confided in us for a Redress of their Grievances, they would have relinquished the Scheme of separating from us; a Scheme so unjust with Respect to the rest of the Community, so subversive of all Government, so peculiarly injurious at this Crisis, to the common Cause of *America*; and if persisted in, so ruinous and destructive to themselves; for we solemnly assure your Excellency, that tho' we are willing, and we conceive we speak the general Sense of our Constituents, that the Controversy, relative to the Right of Soil, should be determined upon the most enlarged Principles; yet that we are resolved, at every Hazard, to maintain the Jurisdiction of the State, throughout the whole of its Territory—Little will avail our Resistance to a Foreign Enemy and Domination; unless we can, by enforcing a due Subordination to Government, establish Peace and good Order among ourselves.

"We entirely agree with your Excellency, that the Depreciation of the Paper Currency, is a Circumstance of an alarming Nature; and that Taxation is the only effectual, and rational Remedy—From this Conviction therefore, we shall embrace every Opportunity for carrying into Execution so salutary a Measure.

"The other Matters recommended by your Excellency, will receive from us that Degree of Attention, which they justly merit; and in deliberating on them, together with the other Business of the Session, we shall be influenced by a due Regard to the Interest and Honor of our Constituents, and the general Peace and Prosperity of the whole Confederation.

By Order of the Assembly of the State of New-York,

WALTER LIVINGSTON, Speaker."

Assembly Chamber, October 15, 1778.

Resolved, That the said Address be presented to his Excellency by the whole House.

Ordered, That Mr. *Benson* and Mr. *L'Hommedieu*, wait on his Excellency the Governor, to know when and where, he will be pleased to be attended by this House, with their respectful Address.

Mr. *Benson* reported, that Mr. *L'Hommedieu* and himself, had waited on his Excellency the Governor, and delivered their Message; and that his Excellency had been pleased to say, he would receive the Address at his Residence in this Town, To-Morrow Morning at eleven o'Clock.

A Message from the Honorable the Senate, by Mr. *Landon*, in the Words following, viz.

"State of *New-York*.

In Senate, October 15, 1778.

"*Resolved*, That this Senate will, this Afternoon, proceed to the Nomination of five Delegates, to represent this State in General Congress.

"*Ordered*, That Mr. *Landon*, carry a Copy of the foregoing Resolution, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

Resolved, That this House will this Afternoon, proceed to the Nomination of five Delegates, to represent this State in General Congress.

Ordered, That Mr. *K. Van Rensselaer* and Mr. *Harpur*, do carry a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until four o'Clock this Afternoon.

4 o'Clock, P. M. *October 15, 1778.*

THE House met pursuant to Adjournment.

Nathan Smith, Esq; one of the Representatives for *Ulster* County, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

Mr. *Benson* moved for Leave to bring in a Bill for the Payment of the several Sums therein mentioned.

Ordered, That Leave be given accordingly.

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The House then Proceeded openly, to nominate five Delegates, to represent this State, in the General Congress of the United States of *America*; and the Members severally proposed, each, five Persons as follows, viz.

	Mr. James Duane.	Mr. G. Morris.	Mr. Philip Schuyler.	Mr. Francis Lewis.	Mr. Wm. Floyd.	Mr. J. M. Scott.	Mr. J. Hering.	Mr. Z. Platt.	Mr. Egbert Benson.	Mr. Lewis Morris.
Mr. Benson,	I	I	I	I	I					
Mr. Taylor,	I	I	I	I	I					
Mr. Van Houten,	I	-	-	-	I	I	I			
Mr. Whiting,	I	I	-	I	I	-	I			
Mr. Miller,	I	I	I	-	I	-	-	I		
Mr. Van Horne,	I	I	I	I	I					
Mr. Bell,	I	I	I	I	I					
Mr. Newkirk,	I	I	I	I	I					
Mr. Waggoner,	I	I	I	I	I					
Mr. Vrooman,	I	I	I	I	I					
Mr. Snyder,	I	-	-	-	I	I	I			
Mr. Teller,	I	I	I	I	I					
Mr. K. Van Rensselaer,	I	I	I	I	I					
Mr. Schuyler,	I	I	I	I	I					
Mr. Gansevoort,	I	I	I	I	I					
Mr. Jay,	I	I	I	I	I					
Mr. R. Van Rensselaer,	I	I	I	I	I					
Mr. Tredwell,	I	-	I	-	I	-	I			
Mr. Harpur,	I	I	-	-	I	I				
Mr. Dodge,	I	I	-	-	I	-	I			
Mr. Hoffman,	I	I	I	I	I					
Mr. Schoonmaker,	I	-	-	-	I	I	I			
Mr. Smith,	I	I	-	-	I	I	I			
Mr. Dunscomb,	I	I	-	-	I	I	I			
Mr. Hopkins,	-	I	-	-	I	I	-	-	-	I
Mr. T. Crane,	I	I	-	-	I	I				
Mr. J. Clark,	I	-	-	-	I	I	I			
Mr. Lockwood,	I	I	-	-	I	I	I			
Mr. Ward,	I	-	-	-	I	I	-	-	-	I
Mr. Benedict,	I	I	-	-	I	I	I			
Mr. Bancker,	I	I	I	I	-	I				
Mr. Swartwout,	I	I	-	-	I	I	I			
Mr. Brinckerhoff,	I	I	-	-	I	I	I			
Mr. Tozer,	I	I	-	-	I	I	I			
Mr. Baker,	I	-	-	-	I	I	I			
Mr. Mills,	I	I	-	-	I	I	I			
Mr. Birdfall,	I	I	-	-	I	I	I			
Mr. Boerum,	I	I	-	-	I	I	I			
Mr. J. Crane,	I	I	-	-	I	I	I			
Mr. L'Homedieu,	I	-	-	I	I	-	-	I		

Mr. *Dunscomb* then moved, that the Honorable *John Morin Scott*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved, That the Honorable *John Morin Scott* be, and he is hereby nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*.

Mr. *Hoffman* then moved, that the Honorable *James Duane*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved, That the Honorable *James Duane*, Esq; be and he is hereby nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*.

Mr. *J. Clark* then moved, that the Honorable *William Floyd*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved, That the Honorable *William Floyd*, Esq; be and he is hereby nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*.

Mr. *L'Homedieu* then moved, that the Honorable *Philip Schuyler*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. On the Question being put, it passed in the Negative.

Mr. *Dunscomb* then moved, that the Honorable *Francis Lewis*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved,

Resolved, That the Honorable *Francis Lewis*, Esq; be and he is hereby nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*.

Mr. *Birdsall* then moved, that the Honorable *Gouverneur Morris*, Esq; be nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved, That the Honorable *Gouverneur Morris*, Esq; be and he is hereby nominated by this House, one of the Delegates to represent this State, in the General Congress of the United States of *America*. Thereupon,

Resolved, That the Honorable *John Morin Scott*, *James Duane*, *William Floyd*, *Francis Lewis* and *Gouverneur Morris*, Esquires, be and they are hereby nominated by this House, Delegates to represent this State, in the General Congress of the United States of *America*.

A Message from the Honorable the Senate, by Mr. *Lawrence*, in the Words following, viz.

"State of *New-York*,

In Senate, Poughkeepsie, October 15, 1778.

"*Resolved*, That this Senate will meet the Honorable the House of Assembly, in the Assembly Chamber, at such Time as they shall appoint; to compare the Lists of Persons, nominated by the Senate and Assembly respectively, as Delegates in General Congress.

"*Ordered*, That Mr. *Lawrence*, carry a Copy of the foregoing Resolution, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

Resolved, That this House will meet the Honorable the Senate in this Chamber, To-Morrow Morning, at half after 11 o'Clock, to compare the List of Persons, nominated by each House, as Delegates from this State, in General Congress.

Ordered, That Mr. *Hoffman* and Mr. *Van Houten*, wait on the Honorable the Senate, with a Copy of this Resolution, and desire their Concurrence thereto.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. October 16, 1778.

THE House met pursuant to Adjournment.

Mr. Speaker left the Chair, and with the House, attended his Excellency with their respectful Address, according to his Appointment, and being returned, resumed the Chair, and reported, that the House had attended his Excellency with their respectful Address: That his Excellency had been pleased to Return an Answer thereto, and delivered him a Copy thereof, which is in the Words following, viz.

"Gentlemen,

"I thank you for this Address; confiding in the Wisdom and Justice of the Assembly, permit me to assure you, that it shall be my constant Endeavour, effectually to carry into Execution, every Measure which may be found best calculated to promote the Interest, and Prosperity of the State.

G E O. C L I N T O N."

Poughkeepsie, October 16, 1778.

The Speaker then left the Chair, and with the House, attended upon the Honorable the Senate, in the Assembly Chamber, agreeable to the Resolutions of both Houses, to compare the Lists of the Persons nominated by the Senate and Assembly, respectively, as Delegates from this State in General Congress; and resuming the Chair again, reported to the House—That the House had met with the Honorable the Senate, and compared the Lists of Persons nominated by each House, respectively, as Delegates in Congress; that the List of Persons nominated by the Honorable the Senate, is in the Words following, viz.

"State of *New-York*.

In Senate, October 15, 1778.

"The Senate proceeded to the Nomination of five Delegates, to represent this State in General Congress, and the following Gentlemen were openly nominated, viz. *Francis Lewis*, *James Duane*, *Philip Schuyler*, *William Floyd* and *Gouverneur Morris*.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

That upon comparing such Lists, it appearing that the Names of *Philip Schuyler* and *John Morin Scott*, Esquires, were not in both Lists.—The Senators, and Members of this House proceeded by joint Ballot, to choose one of the said two Persons, and that upon such Election, there appeared a Majority of Ballots in the Favour of *Philip Schuyler*, Esquire.

Thereupon, *Resolved*, That the Honorable *James Duane*, *Gouverneur Morris*, *Philip Schuyler*, *William Floyd*, and *Francis Lewis*, Esquires, be, and they are hereby declared duly nominated and appointed Delegates, to represent this State in the General Congress of the United States of *America*.

The

The Petition of *Brinton Paine* and *John Chamberlin*, was presented, read, and ordered to lie on the Table for the Perusal of the Members.
Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

THE House met pursuant to Adjournment.

Thomas Wickes, Esq; one of the Representatives for *Suffolk County*, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary, was read, and is in the Words following, viz,

"Gentlemen of the Legislature,

"With this Message I submit to your Consideration, the Copy of a Letter from his Excellency General *Washington*, dated *Fredericksburgh*, September 22, 1778, representing the Difficulties that attend the obtaining of a sufficient Quantity of Forage for the Use of the Army; together with Copies of two Letters, dated the 6th and 10th of the same Month, from Colonel *Biddle*, Commissary of Forage, and *Charles Pettit*, Assistant Quarter-Master General, on the same Subject; and a Representation of *Royal Flint*, Assistant Commissary General of Purchases, containing a State of the public Magazines, and the Difficulties he labours under in procuring the necessary Supplies of Flour and Wheat, for the Consumption of the Army, together with the Copy of a Letter from the Common Council of the City of *Albany*, setting forth the Distresses that threaten the Inhabitants of that City, from the Conduct of Engrossers and Monopolizers of Flour and Wheat.

G E O. C L I N T O N."

Poughkeepsie, 16th October, 1778.

The Papers referred to in the said Message, were also read.

Resolved, That the said Message and Papers be referred to a Committee, and Mr. *Tredwell*, Mr. *Gansevoort* and Mr. *Benson*, were appointed a Committee accordingly.

Resolved, That the Honorable the Senate be requested to appoint a Committee, to join with the Committee of this House, to consider of the Measures proper to be pursued by the Legislature, in Consequence of the Information contained in the Message received this Day from his Excellency the Governor, on the Subject of procuring Supplies of Flour and Forage for the Army.

Ordered, That Mr. *Binckerhoff* and Mr. *Jay*, carry a Copy of the above Resolution, to the Honorable the Senate.

Mr. *Benson* laid before the House an Account from the State of *New-Hampshire*, against this State, accrued in subsisting, and other incidental Charges, relative to the Prisoners removed to that State, by the Committee of Convention for detecting Conspiracies, in the Year 1776; Mr. *Benson* also informed the House, that Mr. *Bancker* and himself, had examined the said Account, and had found a Balance of Eight Hundred and Ninety-Four Pounds Eight Shillings and Nine-Pence Three Farthings, lawful Money, of *New-Hampshire*, equal to Eleven Hundred and Ninety-Two Pounds Eleven Shillings and Nine-Pence, lawful Money of this State, justly due on the said Account, to the State of *New-Hampshire*. Mr. *Benson* farther informed the House, that his Excellency the Governor, rather than the Gentleman who was attending, to solicit the Payment of the said Account should be detained, had intimated that he would advance the Money to discharge the same, on a Vote of Credit from both Houses to reimburse him.

Thereupon, Resolved, That his Excellency the Governor, be requested to advance the Sum of Eleven Hundred and Ninety-Two Pounds Eleven Shillings and Nine-Pence, in Discharge of the said Account; and that the Legislature will provide for the Re-payment thereof.

Ordered, That Mr. *Binckerhoff* and Mr. *Jay*, carry a Copy of the above Resolution to the Honorable the Senate, and request their Concurrence.

The Order of the Day being read, the House proceeded to fill up the two Seats in Senate, vacant, the one by the Death of the Honorable *Philip Livingston*, Esq; and the other by the Election of the Honorable *Pierre Van Cortlandt*, Esq; to the Office of Lieutenant-Governor; and the Members having severally each proposed two Persons.

Mr. *Bancker* then moved, that Sir *James Jay*, Knight, be chosen by this House, to fill up the Seat in Senate, vacant by the Death of the Honorable *Philip Livingston*, Esquire. And the Question being put thereon, it passed in the Affirmative by every Member present, except Mr. *Wickes*, who voted in the Negative. Thereupon,

Resolved.

Resolved, That Sir James Jay, Knight, is chosen by this House, to fill up the Seat in Senate, vacant by the Death of the Honorable Philip Livingston, Esquire.

Mr. J. Clark then moved, that Isaac Stoutenburgh, Esq; be chosen by this House, to fill up the Seat of the Honorable Pierre Van Cortlandt, Esq; as a Senator, whose Seat is become vacant, by Reason of his being elected to the Office of Lieutenant-Governor, of this State. Thereupon,

Resolved, That Isaac Stoutenburgh, Esq; is chosen by this House, to fill up the vacant Seat in Senate, of the Honorable Pierre Van Cortlandt, Esq; whose Seat as a Senator, is become vacant, by Reason of his being elected to the Office of Lieutenant-Governor, of this State.

Ordered, That Mr. Whiting and Mr. Swartwout, carry a Copy of the above Resolutions to the Honorable the Senate.

The other Order of the Day being read;

Resolved, That the further Consideration of his Excellency the Governor's Speech, be postponed until Monday next.

Resolved, That this House will to To-Morrow, proceed to nominate and appoint a Council of Appointment.

A Petition of a Number of the Inhabitants of Charlotte County, praying an Exemption from Taxation for the present Year, was presented and read.

Ordered, That it be committed to the Committee of Ways and Means.

Valentine Jenkins and Wing Kelly, two of the People called Quakers, having attended at the Bar of the House Yesterday, and heard in Support of the Petition from the monthly Meeting of the Oblong, presented to this House on the fourteenth Instant, and having then obtained Leave to attend again, attended on this Day accordingly; and being called to the Bar, were again heard in Support of the Petition.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. October 17, 1778.

THE House met pursuant to Adjournment.

Moses Younglove, Esq; one of the Representatives of Tryon County, and Ebenezer Clark, Esq; one of the Representatives of Charlotte County, appeared, and having severally taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took their Seats.

A Message from the Honorable the Senate, by Mr. Yates, in the Words following, viz.

"State of New-York.

In Senate, October 16, 1778.

"*Resolved*, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of this Day, requesting his Excellency the Governor, to advance the Sum therein mentioned, for the Purposes therein specified.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

A Petition of Libbeus Mead, of the Manor of Cortlandt, who was wounded at the Battle of Compo-Hill, 1777, praying Relief, was read, and committed to the same Committee, the Petition of William Foster is committed to.

A Petition of a Number of Inhabitants of Cambridge, in the County of Albany, praying an Exemption from Taxation for the present Year, was presented, and read, and committed to the Committee of Ways and Means.

The Order of the Day being read, the House proceeded to nominate and appoint a Council of Appointment, and the Members present, severally proposed four Senators, in the Manner following, viz.

	Mr. J. Lawrence,	Mr. Platt,	Mr. D. W. Ten Broeck,	Mr. Russell,	Mr. R. Morris,	Mr. Landon,	Mr. Mynderse,	Mr. Parks.
Mr. E. Clark,	I	I	I	I				
Mr. Bancker,	-	-	I	I	I	I		
Mr. Brinckerhoff,	-	-	-	I	I	I	I	
Mr. Schoonmaker,	I	-	-	I	-	I	I	
Mr. Waggoner,	I	I	I	I				
Mr. Bell,	I	I	I	I				
Mr. Younglove,	I	I	I	I				
Mr. Teller,	I	I	I	I				
Mr. Newkirk,	I	I	I	I				
Mr. J. Crane,	I	I	I	I				
Mr. K. Van Rensselaer,	I	I	I	I				
Mr. Miller,	I	I	I	I				
Mr. L'Hommiedieu,	I	I	I	I				
Mr. Van Horne,	I	I	I	I				
Mr. Swartwout,	I	-	-	I	-	I	I	
Mr. Taylor,	I	I	I	I				
Mr. Tredwell,	I	I	I	I				
Mr. Benson,	I	I	I	I				
Mr. Harpur,	I	-	-	I	-	I	I	
Mr. Wickes,	I	I	-	I	-	-	I	
Mr. Whiting,	I	I	I	I				
Mr. Jay,	I	I	I	I				
Mr. Dodge,	I	I	I	I				
Mr. Gansevoort,	I	I	I	I				
Mr. Tozer,	I	I	I	I				
Mr. Dunscomb,	-	-	I	I	I	I		
Mr. Schuyler,	I	I	I	I				
Mr. Vrooman,	I	I	I	I				
Mr. Lockwood,	I	I	I	I				
Mr. Ward,	I	I	I	I				
Mr. Mills,	I	I	I	I				
Mr. Van Houten,	I	-	-	I	-	-	I	I
Mr. Boerum,	I	I	I	I				
Mr. J. Clark,	I	-	-	I	-	I	I	
Mr. Hoffman,	I	I	I	I				
Mr. Smith,	I	I	I	I				
Mr. Benedict,	I	I	I	I				
Mr. Baker,	I	I	I	I				
Mr. Hopkins,	I	I	I	I				

Mr. Benson then moved, That *Ebenezer Russell*, Esq; one of the Senators of the Eastern District, be nominated and appointed one of the Council of Appointment. Thereupon,

Resolved, That *Ebenezer Russell*, Esq; one of the Senators of the Eastern District, be, and he is hereby nominated and appointed, as a Member of the Council of Appointment.

Mr. Hoffman then moved, That *Zephaniab Platt*, Esq; one of the Senators of the Middle District, be nominated and appointed one of the Council of Appointment.

Thereupon, *Resolved*, That *Zephaniab Platt*, Esq; one of the Senators of the Middle District, be, and he is hereby nominated and appointed a Member of the Council of Appointment.

Mr. Taylor then moved, That *Dirck Wessell Ten Broeck*, Esq; one of the Senators of the Western District, be nominated and appointed a Member of the Council of Appointment.

Thereupon, *Resolved*, That *Dirck Wessell Ten Broeck*, Esq; one of the Senators of the Western District, be, and he is hereby nominated and appointed a Member of the Council of Appointment.

Mr. Boerum then moved, That *Jonathan Lawrence*, Esq; one of the Senators of the Southern District, be nominated and appointed a Member of the Council of Appointment.

Thereupon, *Resolved*, That *Jonathan Lawrence*, Esq; one of the Senators of the Southern District, be, and he is hereby nominated and appointed a Member of the Council of Appointment. Thereupon,

Resolved, That *Ebenezer Russell*, Esq; a Senator from the Eastern District, *Zephaniab Platt*, Esq; a Senator from the Middle District, *Dirck Wessell Ten Broeck*, Esq; a Senator from the Western District, and *Jonathan Lawrence*, Esq; a Senator from the Southern District, be, and they hereby are nominated and appointed, according to the Form and Effect of the Article in the Constitution of this State, in that Case made and provided, a Council for the Appointment of all Officers within this State, other than those who by the Constitution, are directed to be otherwise appointed.

Ordered, That a Copy of the last Resolution, be signed by the Speaker, and delivered to his Excellency the Governor.

Mr. Taylor moved for Leave to bring in a Bill, to relieve certain Persons against the Penalties in the Act for more effectually preventing the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters in this State.

Ordered, That Leave be given accordingly.

Mr. Taylor, according to Leave, presented a Bill, entitled, "*An Act to relieve certain Persons against the Penalties in the Act for more effectually preventing the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters in this State,*" which was read the first Time, and ordered a second Reading.

The House then resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for appointing Commissioners of Taxes in the several Counties within this State.*" After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. E. Clark, from the said Committee, reported, That after the said Bill had been read through in the said Committee, and before it was read by Paragraphs, Mr. Brinckerhoff moved that the said Bill should be rejected; that Debates arose thereon, and the Question being put, it was carried in the Negative, by every Member present, except Mr. Brinckerhoff, Mr. Newkerk, Mr. K. Van Rensselaer, Mr. Van Houten and Mr. Lockwood, who voted in the Affirmative. That the Committee then made some further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Message from his Excellency the Governor, by Mr. Lush, his private Secretary, in the Words following, viz.

"Gentlemen,

"You will receive with this Message, an Extract of a Letter from the Honorable William Duer and Gouverneur Morris Esquires, two of the Delegates of this State, informing, that they have obtained from Congress, an Advance of One Hundred Thousand Dollars, for the Use of this State, and for which it is to be accountable. This Money, for Want of a safe Opportunity of conveying it to the Treasury, remains in the Hands of the Delegates; and it appears to me necessary that a Method should be devised for having it brought forward, or that some other proper Disposition be made of it.

"For the Information of the Legislature, you will herewith also receive the Returns of Clothing, now in the public Stores of this State, and of the late Issues, and the Deficiencies; with a Copy of a Letter from Peter T. Curtenius, Esquire, one of the Commissaries, which, as it points out the Inexpediency of the present Mode of obtaining Supplies, merits the early Attention of the Legislature.

"A Copy of a Resolution of Congress of the 8th of September, 1778, respecting the Clothing of the Army, will also be herewith delivered you.

Poughkeepsie, October, 17, 1778.

GEO. CLINTON,"

Ordered, That the Letter from the Honorable Gouverneur Morris and William Duer, Esquires, Delegates in Congress, dated July 22d, 1778, and referred to in the above Message, be referred to a Committee, and Mr. Benson, Mr. Taylor and Mr. Tredwell, were appointed a Committee accordingly.

Ordered, That the Letter from Peter T. Curtenius, Esquire, Commissary of Clothing for this State, referred to in the above Message, be referred to a Committee, and Mr. Bancker, Mr. Gansevoort and Mr. E. Clark, were appointed a Committee accordingly.

A Petition of Jeremiah Spencer and Oliver Colver, on Behalf of themselves, and other Inhabitants of Durham, in Charlotte County, was presented and read.

Ordered, That it be referred to a Committee, and Mr. Benson, Mr. Wickes and Mr. Taylor, were appointed a Committee accordingly.

Then the House adjourned until three o'Clock Monday Afternoon.

MONDAY, 3 o'Clock, P. M. October 19, 1778.

THE House met pursuant to Adjournment.

Israel Honeywell, jun. Esquire, one of the Representatives for Westchester County, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker as a Commissioner for that Purpose appointed, took his Seat.

Mr. Benson, from the joint Committee of Senate and Assembly, to whom were referred the Papers received from his Excellency the Governor, on the subject of procuring Supplies of Flour and Forage for the Army, reported, that the said joint Committee, had prepared the Draft of a Bill, more effectually to provide Supplies of Flour for the Army; that the said Committee had recommended to his Excellency the Governor, until more effectual Measures can be devised by the Legislature, to prevent the Exportation of

of Flour, to employ a Number of judicious and vigilant Persons, and Station them upon the several Places where Roads communicate from this State, with the Massachusetts-Bay, or Connecticut, to seize all Flour, Meal or Grain, attempted to be exported in Violation of the Embargo Act.

Resolved, That this House do agree with the said Committee in their said Report.

Resolved, (If the Honorable the Senate shall concur herein) that the Legislature will provide for the Expence of employing a Number of Persons to prevent Violations of the Embargo Act, in Consequence of the Recommendation from the joint Committee of Senate and Assembly, to his Excellency the Governor.

Ordered, That Mr. Benson and Mr. Hoffman, carry a Copy of the above Resolution to the Honorable the Senate.

Mr. Benson then moved for Leave to bring in a Bill, more effectually to provide Supplies of Flour for the Army.

Ordered, That Leave be given accordingly.

Mr. Benson, according to Leave, brought in a Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," which was read the first Time, and ordered a second Reading.

By unanimous Consent of the House, the Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," was read the second Time, and committed to a Committee of the whole House.

The Order of the Day being read,

Resolved, That the further Consideration of his Excellency the Governor's Speech be postponed until To-Morrow.

Mr. E. Clark, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for appointing Commissioners of Taxes, in the several Counties within this State*," reported, that the Committee had gone through the Bill, and made several Amendments thereto. That on the Question being put, Whether the Committee should report the Bill, it was carried in the Affirmative, by every Member present, except Mr. Speaker, Mr. Brinckerhoff, Mr. Lockwood, Mr. Hopkins, Mr. Baker, Mr. Tozer, Mr. Benedict, Mr. K. Van Rensselaer and Mr. Van Houten, who voted in the Negative; which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill with the Amendments be engrossed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. October 20, 1778.

THE House met pursuant to Adjournment.

David Gelston, Esquire, one of the Representatives for Suffolk County, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

Whereas there are several Matters now depending before Congress, in which this State is particularly and greatly interested, and especially Matters relative to the Disorders prevailing in the North-Eastern Parts of this State;

And whereas the present Occasion is, not only with Respect to this State in particular, but to the United States in General, most important, urgent and extraordinary;

Resolved therefore, That in the Opinion of this House, a special Occasion does now exist, on which the Chancellor and Judges of the Supreme Court, may be elected Delegates to the General Congress.

Resolved, That of the Chancellor, and Judges of the Supreme Court, two be elected Delegates on this Occasion, to continue in office until the first Day of March next.

Ordered, That Mr. Hoffman and Mr. Benson, carry a Copy of the above Resolutions to the Honorable the Senate, and request their Concurrence.

Mr. Tredwell, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for the further supplying the five Continental Regiments, raised under the Direction of this State, with Shoes and Stockings, and other Necessaries*," which was read the first Time, and ordered a second Reading.

The House then resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Swartwout, from the said Committee, reported, that the Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place, and afterwards delivered it in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock.

3 o'Clock, P. M. October 20, 1778.

THE House met pursuant to Adjournment.

Mr. *Swartwout*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," reported, that he was directed by the said Committee to report to the House, that when the Committee came to that Clause of the Bill, whereby all Flour, Meal or Wheat, of the Crop of the Year One Thousand Seven Hundred and Seventy-Seven, or any preceding Year, in the Possession of any Persons, and of their own raising, is made subject to Seizure for the Use of the Army; Debates arose thereon, and the Question being put, Whether the Committee would agree to the said Clause, it was carried in the Affirmative by every Member present, except Mr. *Gansevoort*, Mr. *Younglove* and Mr. *Waggoner*, who voted in the Negative: That when the Committee came to that Part of the Bill, limiting the Price of Wheat to be seized. Mr. *Taylor* moved, that the said Price be limited at Six Dollars per Bushel. That Debates arose thereon, and the Question being put, it was carried in the Negative---that the said Committee had gone through the said Bill, and made several Amendments thereto, which Report he read in his Place, and afterwards delivered the said Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed,

The Clerk of the Honorable the Senate, delivered a Copy of a Message, from his Excellency the Governor, to the Legislature, received by that Honorable House, together with Copies of several Papers therein referred to; the said Message being read, is in the Words following, viz.

"Gentlemen,

"I take this Method of presenting to the Legislature, for their Consideration, the Memorial of *John Beebe*, *Philip Frisbe* and others, in Behalf of themselves and their Associates, Inhabitants of *Kings District*, in the County of *Albany*, with a State of their Case to which it refers.

And also a Paper, signed by a Number of the Inhabitants of *Peinpack*, on the Western Frontiers of *Ulster County*, and requesting, that a Company of Rangers be raised for their Protection; together with Copies of two Letters which I have received, giving an Account of some late Depredations committed by the Enemy in that Quarter.

Poughkeepsie, October 17, 1778.

GEO. CLINTON."

Resolved, That the Memorial of *John Beebe* and *Philip Frisbe*, and others, referred to in his Excellency's Message, be referred to a Committee; and Mr. *L'Hommedieu*, Mr. *Schoonmaker* and Mr. *Dodge*, were appointed a Committee accordingly.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, upon his Excellency the Governor's Speech, after some Time spent therein, Mr. *Speaker* resumed the Chair, and Mr. *Hoffman*, from the said Committee, reported, That on reading that Part of his Excellency's Speech recommending Taxation, Mr. *Benson* moved, that the Committee should report, that it would be proper that another Bill should be prepared and brought in, to raise a farther Sum by Tax, to be applied towards the public Exigencies of this State; That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Celfton,
Mr. Younglove,
Mr. Schoonmaker,
Mr. Miller,
Mr. Benson,

Mr. Harpur,
Mr. Wickes,
Mr. Tredwell,
Mr. J. Clark,
Mr. Van Houten,

Mr. J. Crane,
Mr. Smith,
Mr. L'Hommedieu,
Mr. Bancker,

Mr. Ward,
Mr. Whiting,
Mr. Dunscomb,
Mr. Tozer,

Mr. Benedict,
Mr. T. Crane,
Mr. Honeywell,
Mr. Mills,

For the Negative.

Mr. Speaker,
Mr. Swartwout,
Mr. Vrooman,

Mr. Waggoner,
Mr. Boerum,
Mr. Bell,

Mr. Newkirk,
Mr. Van Horne,
Mr. Teller,

Mr. K. Van Rensselaer,
Mr. Brinckerhoff,
Mr. Schuyler,

Mr. Taylor,
Mr. E. Clark,
Mr. Baker,

Mr. Gansevoort,
Mr. Hopkins.

That the Committee had directed him farther to report, That it would be proper in the Bill, now before the House, to add a Clause for paying to his Excellency the Governor, the farther Sum of _____ for paying and subsisting the incidental Charges of such of the Militia as have been, or shall be called into actual Service for the Defence of this State: That it would be proper to appoint a Committee to devise, during the Recess of the House, a proper and permanent Plan for the Settlement of the public Accounts---which Report he read in his Place, and afterwards delivered it in at the Table, where the same was again read, and agreed to by the House.

Thereupon, Ordered, That a Bill be prepared and brought in, for raising a further Sum by Tax, to be applied towards the public Exigencies of the State, and that Mr. *L'Hommedieu*, Mr. *Taylor* and Mr. *Hoffman*, be a Committee to prepare, and bring in the same. Ordered,

Ordered, That Mr. Bancker, Mr. Gansevoort and Mr. Taylor, be a Committee, during the Recess of the House, to devise a proper and permanent Plan, for the Settlement of the public Accounts.

Mr. Harpur laid before the House, by Desire of his Excellency the Governor, a Letter from Col. Cantine to his Excellency, dated October the seventeenth; the same being read, Thereupon, Resolved, That his Excellency the Governor, be authorised to allow to the Militia, which he has called, or may call into Service, for the Defence of the Frontiers, such Sum for Rations, as he shall deem reasonable and adequate.

Ordered, That Mr. Schoonmaker and Mr. J. Clark, carry a Copy of the above Resolution to the Honourable the Senate, and desire their Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. October 21, 1778.

THE House met pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Mynderse, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 20, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of the 19th Instant, that the Legislature will provide for the Expence of employing a Number of Persons, to prevent Violations of the Embargo Act, in Consequence of the Recommendation from the joint Committee of Senate and Assembly, to his Excellency the Governor."

The engrossed Bill entitled, "*An Act for appointing Commissioners of Taxes, in the several Counties within this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Schoonmaker and Mr. J. Clark, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

The Bill entitled, "*An Act to relieve certain Persons, against the Penalties in the Act for more effectually preventing the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for the further supplying the five Continental Regiments, raised under the Direction of this State, with Shoes and Stockings, and other Necessaries,*" was read the second Time, and committed to a Committee of the whole House.

Mr. L'Hommedieu, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" which was read the first Time, and ordered a second Reading.

Mr. Gansevoort moved for Leave to bring in a Bill to repeal an Act, entitled, "*An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders, within this State, and for other Purposes therein mentioned.*"

Ordered, That Leave be given accordingly.

Mr. Gansevoort, according to Leave, brought in a Bill, entitled, "*An Act to repeal an Act, entitled, An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" which was read the first Time, and ordered a second Reading.

Mr. Tredwell, from the Committee to whom were referred the Petitions of Isaac Everitt, of Joseph Graves, of William Foster, of Lebbeus Mead and of George Andries, reported, That with Respect to the four first above named Petitions, they are of Opinion, that a Bill ought to be brought in for the Relief of all such Persons belonging to the Militia of this State, who, during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy. That with Respect to the Petition of George Andries, in the Opinion of the said Committee there ought to be a Clause added to the Bill, now before this House, "*for the Payment of the several Sums therein mentioned,*" for the Payment of the Sum of

to the said George Andries, as and for a Reward for his Valour and resolute Conduct, in delivering himself and his Companion, when Prisoners, out of the Hands of their Savage Guard.

Resolved, That this House do agree with the said Committee in the said Report.

Mr. Tredwell then moved for Leave to bring in a Bill for the Relief of all such Persons, belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy.

Ordered, That Leave be given accordingly.

Mr. Tredwell, according to Leave, brought in a Bill, entitled, "*An Act for the Relief of all such Persons, belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy,*" which was read the first Time, and ordered a second Reading.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 21, 1778.

THE House met pursuant to Adjournment.

A Message from the Honorable the Senate by Mr. Yates, was read, and is in the Words following, viz.

State of New-York.

In Senate, October 21, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of Yesterday, That a special Occasion does now exist, in which the Chancellor, and Judges of the Supreme Court, may be elected Delegates to the General Congress.

"Resolved, That this Senate do not concur with the Honorable House of Assembly, in their other Resolution of Yesterday, That of the Chancellor and Judges of the Supreme Court, two be elected Delegates on this Occasion, to continue in Office, until the first Day of March next.

"Ordered, That Mr. Yates, carry a Copy of the foregoing Resolutions, to the Honorable the House of Assembly.

"Resolved, That of the Chancellor and Judges of the Supreme Court, one be elected a Delegate on this Occasion, to the General Congress.

"Ordered, That Mr. Yates, carry a Copy of the foregoing Resolution, to the Honorable the House of Assembly, and request their Concurrence."

By unanimous Consent of the House, the Bill entitled, "*An Act for the Relief of all such Persons, belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy,*" was read the second Time, and committed to a Committee of the whole House.

Resolved, That this House do concur with the Honorable the Senate, in their Resolution, That of the Chancellor and Judges of the Supreme Court, one be elected a Delegate on the special Occasion, to the General Congress.

Ordered, That Mr. Honeywell and Mr. Baker, carry a Copy of the above Resolution to the Honorable the Senate.

By unanimous Consent, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for the further supplying the five Continental Regiments, raised under the Direction of this State, with Shoes and Stockings, and other Necessaries,*" after some Time spent therein, Mr. Speaker resumed the Chair; and Mr. Schoonmaker, from the said Committee, reported, that in going through the said Bill, Mr. Harpur moved for an Amendment in the Words following, viz. That the said Peter T. Curtenius, Esquire, shall be and he is hereby authorized to deliver Leather, to the respective Commanding Officers of the said Battalions, or their respective Orders, in such Quantities as he shall think proper, for the Purpose of mending the Shoes of the said Troops." On the Question being put, it was carried in the Affirmative. That the Committee had gone through the said Bill, amended the same, and altered the Title; that the altered Title is in the Words following, viz. "*An Act for procuring a further Supply of Clothing for the five Continental Battalions, raised under the Direction of this State,*" which Report he read in his Place, and afterwards delivered the said Bill and Amendments, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.

Two Messages from the Honorable the Senate by Mr. Klock, were read, and are in the Words following, viz.

State of New-York.

In Senate, October 21, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of Yesterday, authorizing his Excellency the Governor, to allow to the Militia, which he has called or may call into Service, for the Defence of the Frontiers such Sum for Rations as he shall deem reasonable and adequate."

State of New-York.

In Senate, October 21, 1778.

"Whereas by the wanton and cruel Waste and Destruction, made by the Enemy, in and about the German Flatts, many of the Inhabitants, who it appears have been doing Duty at, and sustained the Post at Fort Dayton, with their Families in that District, are so distressed thro' the Want of Provisions, that they cannot subsist without immediate Relief;

"Resolved therefore, if the Honorable the House of Assembly concur herein, that his Excellency the Governor, be authorized to take such Measures, for supplying the said Inhabitants

bitants and their Families with Provisions, as he shall conceive necessary, until the Circumstances of the Country will permit them to Return to their respective Habitations in Safety, provided they hold and sustain the said Post of Fort Dayton.

The engrossed Bill entitled, "*An Act more effectually to provide Supplies of Flour for the Army,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gelston and Mr. Smith, carry the said Bill to the Honorable the Senate, and request their Concurrence thereto.

Then the House adjourned until nine o'Clock to To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. October 22, 1778.

THE House met pursuant to Adjournment.

A Petition from Casparus Conyne and Lawrence Conyne, of the District of Clavarack, praying Relief against certain Forfeitures incurred under the Act "*for preventing the Exportation of Flour, Meal and Grain, out of this State,*" was read.

Mr. Gansevoort then moved, That the said Petition be committed to a Committee—Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Dodge,	Mr. Miller,	Mr. Dunscomb,	Mr. T. Crane,	Mr. Whiting,	Mr. Tozer,
Mr. Younglove,	Mr. Tredwell,	Mr. E. Clark,	Mr. Honeywell,	Mr. Gelston,	Mr. Mills,
Mr. Wickes,	Mr. Boerum,	Mr. Bancker,	Mr. Hopkins,	Mr. Smith,	Mr. J. Clark,
Mr. Waggoner,	Mr. Schoonmaker,	Mr. Ward,	Mr. Harpur,	Mr. Baker,	Mr. Benedict,

For the Affirmative.

Mr. Van Houten,	Mr. Van Horne,	Mr. Bell,	Mr. Hoffman,	Mr. Vrooman,	Mr. Gansevoort,
Mr. Jay,	Mr. Newkerk,	Mr. Teller,	Mr. K. Van Rensselaer,	Mr. Schuyler,	Mr. Lockwood.

Ordered, That the said Petition lie on the Table.

Resolved, That this House do concur with the Honorable the Senate, in their Resolution of Yesterday, That his Excellency the Governor be authorised to take such Measures for supplying the Inhabitants of the *German-Flats*, and their Families with Provisions, as he shall conceive necessary, until the Circumstances of the Country will permit them to return to their respective Habitations in Safety, provided they hold and sustain the Post of Fort Dayton.

Ordered, That Mr. Dunscomb and Mr. Newkerk, carry a Copy of the above Resolution, to the Honorable the Senate.

The House then resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for the Relief of all such Persons belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy;*" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Van Houten, from the said Committee, reported, That the Committee had gone through the said Bill, made several Amendments thereto, and altered the Title, which altered Title is in the Words following, viz. "*An Act for the Relief of such Persons belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy;*" which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 22, 1778.

THE House met pursuant to Adjournment.

A Petition of the Revd. Isaac Rysdyk and Solomon Freligh, on Behalf of the Confistory of the reformed Protestant Dutch Churches of *Fish-Kill, Hopewell and New-Hackinsack*, was read.

Ordered, That the said Petition be committed to a Committee, and Mr. Harpur, Mr. Teller and Mr. Brinckerhoff, were appointed a Committee accordingly.

A Petition of John Rowan, Esq; setting forth, That at the late Election of Representatives for the County of Charlotte, the Petitioner and Elishamer Tozer, Esq; a sitting Member of this House were Candidates, that tho' there appeared on the Poll Lists, a Plurality of eleven Votes in Favour of Mr. Tozer, yet that twenty-two Persons whose Names are subjoined to the said Petition, and a Number of others, who voted in Favour of Mr. Tozer, were not qualified by Law to vote for Representatives in Assembly; and therefore praying for a Scrutiny, was read.

Ordered, That the said Petition be committed to the Committee of Privileges and Elections.

A Petition of *Brinton Paine*, setting forth the Loss of his and his Company's Baggage and Money, in 1776, and praying Relief, was read.

Ordered, That the said Petition be committed to a Committee, and Mr. Hoffman, Mr. Ward and Mr. Van Horne, were appointed a Committee accordingly.

The Bill entitled, "*An Act to repeal an Act, entitled, An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" was read the second Time, and committed to a Committee of the whole House.

A Petition from *Valentine Jenkins, Wing Kelly and Joseph Lancaster*, three of the People called Quakers, was presented and read.

Ordered, That the said Petition be committed to a Committee; and Mr. Dunscomb, Mr. Tredwell and Mr. Gansevoort, were appointed a Committee accordingly.

The Engrossed Bill, entitled, "*An Act for procuring a further Supply of Clothing for the five Continental Battalions, raised under the Direction of this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gansevoort and Mr. Honeywell, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. October 23, 1778.

THE House met pursuant to Adjournment.

The engrossed Bill, entitled, "*An Act for the Relief of such Persons, belonging to the Militia of this State, who during the Continuance of the present War, and while in the actual Service of the State, have been or may be wounded, or captivated by the Enemy,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Schuyler and Mr. Miller, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

A Message from his Excellency the Governor, to the Legislature, was received from the Honorable the Senate, and is in the Words following, viz.

"Gentlemen,

"This Message is accompanied with a Copy of a Resolution of Congress of the 12th Instant, which, as it is intended for the Encouragement of Religion and good Morals, cannot fail engaging the particular Attention of the Legislature.

Poughkeepsie, October 22, 1778,

G E O. C L I N T O N."

The Resolution of Congress, dated the 12th Instant, recommending to the several States, to take the most effectual Measures for suppressing of Entertainments, Horseracing, Gaming and such other Diversions, as are productive of Idleness, Dissipation, and a general Depravity of Principles and Manners, referred to in the said Message, was read.

Ordered, That the said Message and Resolution of Congress, be committed to the Committee to whom the Petition of the Reverend *Isaac Rysdyck* and *Solomon Freligh*, was committed.

The House resolved itself into a Committee of the whole House, on the Bill entitled, "*An Act to repeal an Act entitled, an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Dunscomb, from the said Committee reported, that the Committee had gone through the said Bill, without any Amendment; which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the said Bill be engrossed.

Mr. Brinckerhoff moved for a Resolution, in the Words following, viz.

Resolved, (if the Honorable the Senate shall concur herein) that the Legislature of this State, will on Friday next, adjourn until the first Tuesday in January. Debates arose thereon, and the Question being put, it was carried in the Affirmative by every Member present, except Mr. Harpur, Mr. Tredwell, Mr. Smith and Mr. Gelston, who voted in the Negative. Thereupon,

Resolved. (if the Honorable the Senate shall concur herein) that the Legislature of this State, will on Friday next, adjourn until the first Tuesday in January.

Ordered, That Mr. Whiting and Mr. T. Crane, carry a Copy of the above Resolution to the Honorable the Senate.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock,

3 o'Clock, P. M. October 23, 1778.

THE House met pursuant to Adjournment.

Mr. Benson, from the Committee to whom was referred the Petition of *Jeremiah Spencer and Oliver Colver*, on Behalf of themselves, and other Inhabitants of *Durham*, in the County of *Charlotte*, reported certain Resolutions, which being read,

Ordered, That the further Consideration of the Report of the said Committee, be postponed until To-Morrow Morning.

By unanimous Consent of the House, the engrossed Bill, entitled, "*An Act to repeal an Act, entitled, An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Dodge and Mr. Benedict, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Mr. Gansevoort moved, That the House resolve itself into a Committee of the whole House, on the Bill, entitled, "*An Act to relieve certain Persons against the Penalties in the Act for more effectually preventing the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters in this State,*"—Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

For the Affirmative.

Mr. Gansevoort,	Mr. E. Clark,	Mr. Teller,	Mr. Hoffman,	Mr. Brinckerhoff,
Mr. Dodge,	Mr. Vrooman,	Mr. Benson,	Mr. Jay,	Mr. Duncomb,
Mr. Bancker,	Mr. Schuyler,	Mr. L'Hommiedieu,	Mr. Whiting,	Mr. Swartwout,
Mr. Bell,	Mr. K. Van Rensselaer,	Mr. Tayler,	Mr. Van Houten,	Mr. Newkirk.

For the Negative.

Mr. Younglove,	Mr. Wickes,	Mr. Tozer,	Mr. J. Clark,	Mr. Ward,
Mr. Waggoner,	Mr. Mills,	Mr. Baker,	Mr. Hopkins,	Mr. Harpur,
Mr. Tredwell,	Mr. T. Crane,	Mr. Honeywell,	Mr. Benedict,	Mr. Snyder.
Mr. Schoonmaker,	Mr. Lockwood,	Mr. Gelston,	Mr. Boerum,	

The House then resolved itself into a Committee of the whole House on the said Bill; after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Gansevoort, from the said Committee, reported, That in going through the said Bill, Mr. Wickes moved, that the Names of the several Persons to be relieved by the said Bill, should be inserted therein, which was agreed to by the Committee, That the Committee had made some Progress therein, and had directed him to move for Leave to sit again, which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until To-Morrow Morning nine o'Clock.

S A T U R D A Y, 9 o'Clock, A. M. October 24, 1778.

THE House met pursuant to Adjournment.

Mr. Benson moved for Leave to bring in a Bill, for continuing the Powers of the Commissioners for detecting Conspiracies.

Ordered, That Leave be given accordingly.

Mr. Benson, according to Leave, brought in a Bill, entitled, "*An Act for continuing the Powers of the Commissioners for detecting Conspiracies,*" which was read the first Time, and ordered a second Reading.

A Message from the Honorable the Senate, by Mr. Wisner, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 23, 1778.

"Whereas many atrocious Robberies have been committed, and are daily committing within this State: In Order therefore, to put a Stop to such evil Practices, as well as to cause the Offenders to be apprehended and brought to Justice,

"Resolved, if the Honorable the House of Assembly concur herein, That his Excellency the Governor, be authorised and requested, to issue a Proclamation, offering a Reward of One Thousand Dollars to such Person or Persons, as shall apprehend and secure the Body of *Claudius Smith*, of *Orange County*; also a Reward of Five Hundred Dollars to any Person or Persons, that shall apprehend and secure the Bodies of *Richard Smith* and *James Smith*, (both of *Orange County*, and Sons of the said *Claudius Smith*) and *John M^r Arthur*, of the Manor of *Livingston*, or each or either of them; also a Reward of Two Hundred and Fifty Dollars to any Person or Persons, that shall apprehend and secure each and either of the Bodies of the following Persons, viz. *George Davis*, *Nathaniel Biggs*, of *Smith's Clove*, in *Orange County*; *John Ross* and *John William Shoeck*, of the Manor of *Livingston*;

Jacob Kimble and John Rypenberg, the Younger, of Rhinebeck Precinct; Jurrie Stopplebeen, of Claverack; Joseph M'Keel, of Westchester County; and that the Legislature will provide Ways and Means for the Payment of the said several Rewards."

Two Petitions from several of the Inhabitants of the County of Orange, praying that the Legislature will offer a Reward for the taking of *Claudius Smith*, and his Associates, were read.

The Order of the Day being read;

The House proceeded to the Consideration of the Report of the Committee, to whom was referred the Petition of *Jeremiah Spencer and Oliver Colver*, on Behalf of themselves and other Inhabitants of *Durham*, in the County of *Charlotte*. And after some Time spent therein, and Amendments thereto made, the said Report so amended, was unanimously agreed to by the House, and is in the Words following, *viz.*

Whereas the Senate and Assembly of this State did, by concurrent Resolutions, passed the twenty-first Day of *February* last, propose certain Overtures with Respect to the controverted Lands, in the North-Eastern Parts of the County of *Albany*, and certain Parts of the Counties of *Cumberland, Charlotte and Gloucester*, in Order to quiet the Disorders prevailing in that Part of the State; *And whereas* the said Resolutions have been misunderstood by some, and mis-represented by others, and are deemed not to apply to the Cases of many Persons intitled to Relief, by Reason whereof, Apprehensions still remain on the Minds of many of the Inhabitants in that Part of the State; and they have not in Consequence thereof, returned to their Allegiance to this State, within the Time for that Purpose in the said Resolutions limited: In order therefore, more effectually to remove such Apprehensions, and more fully to explain the said Resolutions, and manifest the equitable Intentions of the Legislature,

Resolved, Nem. Con. That with Respect to all such Lands which have heretofore been granted by the Governments of *New-Hampshire* or *Massachusetts-Bay*, and have not since been granted by the Government of *New-York*, that all such Grants under *New-Hampshire* or *Massachusetts-Bay*, shall be confirmed and declared good, valid and effectual, to all Intents and Purposes, as if the same had been made by the Government of *New-York*; and shall not be deemed null or void, by Reason of the Non-performance of any Condition contained in the same.

And whereas it is impossible to establish any general Principle, for the Determination of all Disputes that may arise between Persons, claiming under *New-Hampshire* or *Massachusetts-Bay* on the one, and *New-York* on the other Part; but each Case must be determined according to its particular Merits;

Resolved therefore Nem. Con. That in all Cases of Disputes, arising between Persons claiming under *New-Hampshire* or *Massachusetts-Bay* on the one, and under *New-York* on the other Part, for the same Lands (besides confirming such Possessions as were made under *New-Hampshire* or *Massachusetts-Bay*, prior to any Grants for the same Lands under *New-York*), the Legislature will submit the Determination thereof, to such Persons as the Congress of the United States of *America*, shall elect or appoint for that Purpose, to be determined according to Equity and Justice, without adhering to the strict Rules of Law; and will also provide, that where Persons claiming under *New-Hampshire, Massachusetts-Bay* or *New-York*, shall by any such Determinations; or where any Person claiming under *New-York*, shall by Reason of such Confirmations, to Settlers, under *New-Hampshire* or *Massachusetts-Bay*, be deprived of Property; such Persons shall be compensated for such Loss by Grants of other Lands, or Money in Lieu thereof, according to the Equity arising out of each particular Case. *Provided always*, That nothing in these Overtures contained, shall be construed to deprive any Persons actually possessing Lands under *New-York*, of the Lands so by them severally actually possessed; but such Persons shall be confirmed in their respective Possessions, and the Persons claiming such Lands under *Massachusetts-Bay* or *New-Hampshire*, and having equitable Right to the same, shall be compensated for the Lands they may be deprived of, in Consequence of such Confirmations to Occupants under *New-York*, in like Manner as is above specified.

Resolved Nem. Con. That nothing contained either in the above mentioned or these Resolutions, shall be construed to affect any Disputes, that may arise between any Persons independent of a Claim under *New-Hampshire* or *Massachusetts-Bay* on the one, and *New-York* on the other Part.

Resolved, Nem. Con. That all Persons shall be entitled to the Benefit of the above-mentioned and these Resolutions, notwithstanding they may have withheld their Allegiance from, and been in Opposition to the Government of this State, since the first Day of *May* last. *Provided*, That no Person shall be entitled to such Benefit who shall have committed Treason against this State, by adhering to the King of *Great-Britain*.

Ordered, That *Mr. L'Houmedieu* and *Mr. E. Clark*, carry a Copy of the said Resolutions to the Honorable the Senate, and request their Concurrence to the same.

A Message was received from the Honorable the Senate, by Mr. Woodhull, that the Senate have passed the Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," with the Amendments, therewith delivered.

Resolved, That the Consideration of the said Amendments, be postponed until Monday next.

Then the House adjourned until Monday 3 o'Clock, P. M.

MONDAY, 3 o'Clock, P. M. October 26, 1778.

THE House met pursuant to Adjournment.

Daniel Lawrence, Esquire, one of the Representatives for *Queen's County*, appeared, and having taken and subscribed the Oath of Allegiance to this State, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

The House proceeded to take into Consideration the Resolution of the Honorable the Senate, of the twenty third Instant, requesting his Excellency the Governor, to issue a Proclamation, offering the several Rewards, for apprehending and securing the Bodies of the several Persons in the said Resolution mentioned; and that the Legislature will provide Ways and Means for the Payment of the said several Rewards.

Resolved, That this House do not concur with the Honorable the Senate, in the said Resolution.

Ordered, That Mr. Wickes and Mr. Lawrence, carry a Copy of the foregoing Resolution to the Honorable the Senate.

Whereas many atrocious Robberies have been committed, and are daily committing within this State: *In Order therefore* to put a stop to such evil Practices, as well as to cause the Offenders to be apprehended and brought to Justice,

Resolved, (if the Honorable the Senate concur herein,) That his Excellency the Governor, be authorised and requested to issue a Proclamation, offering a Reward of One Thousand Dollars to such Person or Persons, as shall apprehend and secure the Body of *Claudius Smith*, of *Orange County*; also a Reward of Five Hundred Dollars to any Person or Persons, that shall apprehend and secure the Bodies of *Richard Smith* and *James Smith*, both of *Orange County* (and Sons of the said *Claudius Smith*;) and *John M^r Arthur*, of the Manor of *Livingston*, or each or either of them. Also a Reward of Two Hundred and Fifty Dollars, to any Person or Persons, that shall apprehend and secure each and either of the Bodies of the following Persons, *viz.* *George Davis*, *Nathaniel Biggs*, of *Smith's Clove*, in *Orange County*; *John Ross* and *John William Shoeck*, of the Manor of *Livingston*, *John Kimble* and *John Rypenburgh*, the Younger, of *Rynbeck Precinct*; *Jurrie Stopplebeen*, of *Claverack*, *Joseph M^r Keel*, of *Westchester County*; and that the Legislature will provide Ways and Means for the Payment of the said several Rewards.

Ordered, That Mr. Wickes and Mr. Lawrence, carry a Copy of the foregoing Resolution, to the Honorable the Senate.

The Order of the Day being read, the House proceeded to the Consideration of the Amendments of the Honorable the Senate, to the Bill entitled, "*An Act more effectually to provide Supplies of Flour for the Army*." The third Amendment being read, is in the Words following, *viz.*

"In the first Clause, 8th Line, expunge the Word *Five* preceding *Dollars*, and insert *Four*, and in the same Line expunge the Word *Fifteen*, and in its Stead, insert *Twelve and an Half*. The said first Clause being also read, is in the Words following, *viz.*

"Be it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That all Flour, Meal or Wheat, purchased, or which may be purchased, with Intent to be sold again, or to be exchanged or bartered for any Goods, Wares or Merchandize, or to be exported out of this State, shall be subject to be seized and taken by the Commissary General of Purchases for the *American Army*, or any of his Deputies or Agents, to and for the Use of the said Army, the Person seizing and taking the same, paying for such Flour, Meal and Wheat, at the Rates following, *viz.* For Wheat at the Rate of Five Dollars per Bushel, for Flour at the Rate of Fifteen Dollars per Hundred Weight, and a proportional Price for Meal,"—Debates arose thereon, and the Question being put, Whether the House do agree to the said Amendment, it was carried in the Negative, in the Manner following, *viz.*

For the Negative.

Mr. Benson,	Mr. Vrooman,	Mr. Miller,	Mr. Tredwell,	Mr. Gelsion,
Mr. Dodge,	Mr. Bell,	Mr. Van Horne,	Mr. L'Hommedieu,	Mr. Benedict,
Mr. Younglove,	Mr. Newkerk,	Mr. Brinckerhoff,	Mr. Tayler,	Mr. Smith,
Mr. Waggoner,	Mr. K. Van Rensselaer,	Mr. Swartwout,	Mr. Boerum,	Mr. Lockwood,

For the Affirmative.

Mr. Bancker,	Mr. Harpur,	Mr. Baker,	Mr. Wickes,	Mr. Mills,	Mr. Lawrence,
Mr. Schoonmaker,	Mr. Snyder,	Mr. J. Clark,	Mr. Hopkins,	Mr. T. Crane,	Mr. E. Clark,
Mr. Teller,	Mr. Duncomb,	Mr. Honeywell,	Mr. Tozer,	Mr. Van Houten,	

Thereupon,

Thereupon, *Resolved*, That this House do not concur with the Honorable the Senate, in their third Amendment to the Bill, entitled, "*An Act more effectually to provide Supplies of Flour for the Army*," and which third Amendment is in the Words following, *viz.*

"In the first Clause, 8th Line, expunge the Word *Five* preceding *Dollars*, and insert *Four*; and in the same line expunge the Word *Fifteen*, and in its Stead, insert *Twelve and an Half*."

The other Amendments, being severally read, were severally agreed to by the House; and one of the Amendments, being an Amendment in the Title, the said amended Title is in the Words following, *viz.* "*An Act more effectually to provide Supplies of Flour, Meal and Wheat, for the Army*." Thereupon,

Resolved, That this House do concur with the Honorable the Senate, in their other Amendments to the said Bill.

Ordered, That Mr. Harpur and Mr. Mills, carry a Copy of the above Resolution to the Honorable the Senate.

The Bill entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State*," was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for continuing the Powers of the Commissioners for detecting Conspiracies*," was read the second Time, and committed to a Committee of the whole House.

Mr. Benson, according to Leave, brought in a Bill, entitled, "*An Act for paying the several Sums therein mentioned*," which was read the first Time and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. October 27, 1778.

THE House met pursuant to Adjournment.

The Bill entitled, "*An Act for paying the several Sums therein mentioned*," was read the second Time, and committed to a Committee of the whole House.

A Message from the Honorable the Senate, by Mr. Landon, was read, and is in the Words following, *viz.*

"State of New-York.

In Senate, October 26, 1778.

"*Resolved*, That this Senate do not concur with the Honorable the House of Assembly, in their Resolution of this Day, requesting his Excellency the Governor, to issue a Proclamation, offering the several Rewards for apprehending and securing the Bodies of the several Persons in the said Resolution mentioned, and that the Legislature will provide Ways and Means for the Payment of the said several Rewards.

"*Resolved unanimously*, That the Refusal of the Honorable the House of Assembly to concur with this Senate, in their Resolution of the 23d Instant, requesting his Excellency the Governor, to issue a Proclamation, offering the several Rewards for apprehending and securing the Bodies of the several Persons in the said Resolution mentioned, and that the Legislature will provide Ways and Means for the Payment of the said several Rewards; and their Resolution conceived in the same Words, with the aforesaid Resolution, and their Signification of their Non-concurrence and Resolution aforesaid, by the same Message, do in the Opinion of this Senate, amount to a Claim in the said House, to an exclusive Right to originate all Money Matters, in the Legislature.

"*Resolved unanimously*, That in the Opinion of this Senate, they are by the Constitution of this State, vested with, and do expressly claim, an equal Right with the Honorable the House of Assembly, to originate any Money Matters in the Legislature of this State, except a Bill for the Appointment of a Treasurer."

The House resolved itself into a Committee of the whole House, on the Bill entitled, "*An Act for continuing the Powers of the Commissioners for detecting Conspiracies*;" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Gelston, from the said Committee, reported, That the Committee had gone through the said Bill, made several Amendments and added a Clause; which Report he read in his Place, and afterwards delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Mr. Schoonmaker then moved, That the Provifo in the said Bill, which is in the Words following, *viz.*

"*Provided nevertheless*, That nothing herein contained shall be construed, to authorize the said Commissioners or any three of them, to execute any powers under the Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State, other than the Powers of removing within the Enemy's Lines, such Persons who have already appeared before the said Commissioners, or any three of them, and refused to take the Oath in the said Act contained,"

should

Should be rejected—Debates arose thereon and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Gelfon,	Mr. Newkerk;	Mr. L'Homedieu,	Mr. Taylor,	Mr. Honeywell,	Mr. Boerum,
Mr. Dodge,	Mr. Bell,	Mr. Tredwell,	Mr. Miller,	Mr. Smith,	Mr. T. Crane,
Mr. Younglove,	Mr. Vrooman,	Mr. Van Horne,	Mr. Van Houten,	Mr. Harpur,	Mr. Mills,
Mr. Scheonmaker,	Mr. Teller,	Mr. Benson,	Mr. Lawrence,	Mr. Ward,	Mr. Baker,
Mr. Bancker,	Mr. K. Van Rensselaer,	Mr. J. Clark,	Mr. Benedict,	Mr. Hopkins,	Mr. Tozer.
Mr. Waggoner,	Mr. E. Clark,	Mr. Wickes,			

For the Negative.

Mr. Snyder,	Mr. Brinckerhoff,	Mr. Swartwout,	Mr. Dunscomb.
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Resolved, That the said Proviso be rejected.

Mr. Tredwell then moved for another Amendment to the said Bill, which was agreed to by the House. The Question being then put, whether the said Bill so amended should be engrossed, it was carried in the Affirmative by every Member present, except Mr. Snyder, Mr. Brinckerhoff, Mr. Swartwout and Mr. Dunscomb, who voted in the Negative.

Ordered, That the said Bill, with the Amendments, be engrossed.

A Message from the Honorable the Senate by Mr. Yates, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 26, 1778.

Resolved, That this Senate do rescind from the third of their Amendments to the Bill, entitled, "An Act more effectually to provide Supplies of Flour, Meal and Wheat, for the Army."

It appearing to the House, that the Amendments of the Honorable the Senate, agreed to by this House, cannot be made to the said Bill, without defacing the same.

Ordered, That the said Bill be re-engrossed.

The House resolved itself into a Committee of the whole House, on the Bill entitled, "An Act for raising a further Sum by Tax to be applied towards the public Exigencies of this State," after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Smith, from the said Committee, reported, that the Committee had made some Progress in the Bill, and directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 27, 1778.

THE House met pursuant to Adjournment.

A Petition of the Reverend E. Westerlo, on Behalf of the Minister, Elders and Deacons, of the reformed Protestant Dutch Church, in the City of Albany, was read, praying that the Lands belonging to the said Church, may be exempted from Taxation.

Ordered, That the same be committed to the Committee of Ways and Means.

A Message from the Honorable the Senate, by Mr. Woodbull, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 27, 1778.

"The Bill entitled, "An Act to repeal an Act entitled, an Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned," with Amendments, was read the third Time.

Resolved, That the Bill do pass, as amended.

Ordered, That Mr. Woodbull, carry the Bill, together with a Copy of the Amendments thereto, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

The said Amendments being severally read, were agreed to by the House. Thereupon *Resolved*, That this House do agree with the Honorable Senate, in their Amendment to the Bill, entitled, "An Act to repeal an Act, entitled, an Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned."

Ordered, That Mr. L'Homedieu and Mr. Newkerk, carry a Copy of the above Resolution to the Honorable the Senate.

Whereas many Murders and Robberies have been lately committed within this State, which are charged to be committed by the several Persons, or some of them, named in the following Resolutions, to the great Terror of the Inhabitants: In Order therefore, as far as possible, to prevent such atrocious Crimes for the Future, and to cause the Offenders to be apprehended and brought to Justice,

Resolved, (if the Honorable the Senate concur herein,) That his Excellency the Governor, be authorised and requested to issue a Proclamation, offering a Reward of Twelve Hundred Dollars to such Person or Persons, as shall apprehend and secure the Body of *Claudius Smith*, of *Orange County*; also a Reward of Six Hundred Dollars to any Person or Persons, that shall apprehend and secure the Bodies of *Richard Smith* and *James Smith*, both of *Orange County* (and Sons of the said *Claudius Smith*,) and *John M^r Arthur*, of the Manor of *Livingston*, or each or either of them. Also a Reward of Three Hundred Dollars, to any Person or Persons, that shall apprehend and secure each and either of the Bodies of the following Persons, viz. *George Davis*, *Nathaniel Biggs*, of *Smith's Clove*, in *Orange County*; *John Ross* and *John William Schoeck*, of the Manor of *Livingston*, and *Thomas Wood*, jun. of the County of *Albany*; *Jacob Kimple* and *John Rypenburgh*, the Younger, of *Rynbeck Precinct*; *Jurrie Stopplebeen*, of *Claverack*, *Joseph M^r Keel* and *James Heustis*, of *Westchester County*, and *James Hughson*, of *Dutchess County*; and that the Legislature will make Provision for the Payment of the said several Rewards.

Ordered, That Mr. *L'Hommedieu* and Mr. *Newkerk*, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence thereto.

Mr. *Smith*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State*," reported, that the said Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. October 28, 1778.

THE House met pursuant to Adjournment.

The engrossed Bill entitled, "*An Act for continuing the Powers of the Commissioners for detecting Conspiracies*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *L'Hommedieu* and Mr. *Newkerk*, carry the said Bill to the Honorable the Senate, and desire their Concurrence.

Mr. *Schoonmaker*, from the Committee of Privileges and Elections, reported, That in the controverted Election of *Elisbamer Tozer*, Esq; and *John Rowan*, Esq; the Parties being called in, and the Matters specified in the Petition of the said *John Rowan*, against the said *Elisbamer Tozer*, the sitting Member, referred to the said Committee, being argued and many Matters, alledged by the Parties, of Facts, in the County of *Charlotte*; which by Reason of the great Distance from hence, and the Expence in bringing Witnesses hither, they could not conveniently prove, to the Satisfaction of the said Committee, both Parties agreed, that Witnesses might be examined in the County of *Charlotte*, for that Purpose; the said Committee are therefore of Opinion,

1st. That a Scrutiny be allowed in the controverted Election aforesaid.

2d. That the Parties may have Liberty of examining Witnesses on Oath, in the County of *Charlotte*, before any Magistrate there, and transmit their Depositions to this House at their next Meeting.

3d. That the Petitioner or his Agent, deliver a List to the sitting Member or his Agent, of the Persons intended to be objected to by the Petitioner, who voted for the sitting Member, mentioning in the said List the several Heads of Objections, and distinguishing the same against the Names of the Voters excepted to, and that the sitting Member or his Agent, deliver a like List to the Petitioner or his Agent.

Which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read, and agreed to by the House. Thereupon,

Resolved, That a Scrutiny be allowed in the said controverted Election, before this House at their next Meeting.

Ordered, That the said Parties do on the second Tuesday in *December*, exchange such Lists as are mentioned in the said Report.

Ordered, by Consent of the Parties, That the said Parties or their Agents, have Liberty to examine Witnesses on Oath, before *Alexander Webster* and *Ebenezer Russell*, Esquires, Justices of the Peace for the said County, or either of them; and that the Depositions to be taken, be transmitted to this House at their next Meeting, in Writing, under the Seal or Seals of the Person or Persons taking the same.

Ordered, That such Examinations be taken at the House of *Ebenezer Clark*, Esq; in the Township of *New-Perth*, in the said County, on the third Tuesday in *December* next, or so many next succeeding Days as shall be necessary for that Purpose.

Ordered, That the Clerk of this House do serve the Parties each with a Copy of the above Resolution and Orders.

The Bill, entitled, "*An Act to repeal an Act, entitled, An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" being passed, and returned to this House by the Honorable the Senate,

Ordered, That Mr. Binckerhoff and Mr. Jay, carry the said Bill to the Honorable the Council of Revision.

Mr. Smith, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" reported, that the Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 28, 1778.

THE House met pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Landon, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 28, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly in their Resolution of Yesterday, authorising and requesting his Excellency the Governor, by Proclamation, to offer certain Rewards for the Purposes in the said Resolution mentioned."

The re-engrossed Bill, entitled, "*An Act more effectually to provide Supplies of Flour, Meal and Wheat, for the Army,*" being read

Ordered, That Mr. Benson and Mr. Van Horne, carry the said Bill to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. Wisner, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 28, 1778.

"The engrossed Bill entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions, to represent this State in Congress, and for other Purposes therein mentioned,*" was read the third Time.

"Resolved, That the Bill do pass.

"Ordered, That Mr. Wisner, carry the Bill to the Honorable the House of Assembly for Concurrence.

By Order of the Senate,

ROBERT BENSON, Clerk."

The said Bill, entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions to represent this State in Congress, and for other Purposes therein mentioned,*" was read the first Time, and ordered a second Reading.

Abraham P. Lott, Esq; one of the Representatives for the City and County of New-York, appeared, and having taken and subscribed the Oath of Allegiance to this State, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

A Message from the Honorable the Senate, by Mr. Russell, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 28, 1778.

"The Bill entitled, "*An Act for continuing the Powers of the Commissioners for detecting Conspiracies,*" with Amendments, was read the third Time.

"Resolved, That the Bill with Amendments do pass.

"Ordered, That Mr. Russell, carry the Bill with a Copy of the Amendments, to the Honorable the House of Assembly.

By Order of the Senate,

ROBERT BENSON, Clerk."

The said Amendments being read, were agreed to by the House, and one of the said Amendments being an Amendment in the Title, the Title so amended, is in the Words following, viz. "*An Act for continuing the Powers of the Commissioners, for detecting and detecting Conspiracies.*"

Resolved, That this House do concur with the Honorable the Senate, in their Amendments to the said Bill.

Ordered, That Mr. Duncomb and Mr. Lott, carry back the said Bill to the Honorable the Senate, and inform them that this House hath agreed to their Amendments, and caused the same to be amended accordingly.

Mr. Smith, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" reported, that in going through the said Bill, when the Committee came to that Clause in the Bill, which is in the Words following, viz.

"And

"And be it further enacted by the Authority aforesaid, That a further Tax of Three Pence in the Pound, shall by Virtue of this Act, be raised on the Amount of all unimproved appropriated Lands (except Wood Lands, kept for the Purpose of Fuel and Timber, and deemed Parts of an improved Farm) not subject to a Right of Commonage of any Kind whatsoever. That such unimproved Lands, shall be assessed by the Assessors of the Town, Manor, District or Precinct, in which such Lands shall respectively be, and if any such unimproved Lands shall not be comprised within the Limits of any Town, Manor, District or Precinct, the Supervisors of the County, shall at the Meeting to be held in Pursuance of this Act, for electing three Supervisors, to superintend the Execution of this Act in the County, or at some subsequent Meeting, annex such unimproved Lands as last aforesaid, to the adjacent Towns, Manors, Districts or Precincts, in such Manner as they shall deem most expedient, in order that the same may be assessed by the Assessors of the Town, Manor, District or Precinct, to which they shall be so respectively annexed. That all such unimproved appropriated Lands shall be assessed at what, in the Judgment of the Assessors, would have been deemed the Value thereof, in the Year One Thousand Seven Hundred and Seventy-Five: And the Assessors shall return the Assessments of such unimproved appropriated Lands, to the Commissioners in the said Act for raising Monies, to be applied towards the public Exigencies of the State, mentioned; and the said Tax hereby laid on such unimproved appropriated Lands, shall in every other Respect, be raised in like Manner, as the Tax on unimproved appropriated Lands is directed to be raised, in and by the said Act." Debates arose thereon, and the Question being put, Whether the Committee would agree to the said Clause, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Younglove,	Mr. Benson,	Mr. Van Houten,	Mr. Baker,	Mr. Benedict,	Mr. Lott,
Mr. Dodge,	Mr. Tredwell,	Mr. Miller,	Mr. Lockwood,	Mr. J. Clark,	Mr. T. Crane.
Mr. Duncomb,	Mr. E. Clark,	Mr. Harpur,	Mr. Honeywell,	Mr. Tozer,	
Mr. L'Hommedieu,	Mr. Lawrence,	Mr. Jay,	Mr. Mills,	Mr. Gelston,	

For the Negative.

Mr. Brinckerhoff,	Mr. Newkerk,	Mr. Teller,	Mr. Tayler,	Mr. Swartwout.
Mr. Schoonmaker,	Mr. Waggoner,	Mr. K. Van Rensselaer,	Mr. Speaker,	
Mr. Vrooman,	Mr. Bell,	Mr. Van Horne,	Mr. Bancker,	

That the Committee had gone through the said Bill, and made several Amendments thereto, which Report he read in his Place, and afterwards delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.

Abraham Brasher, Esq; one of the Representatives for the City and County of New-York, appeared, and having taken and subscribed the Oath of Allegiance to this State, as by Law prescribed, before the Speaker, as a Commissioner for that Purpose appointed, took his Seat.

The Bill entitled, "*An Act for continuing the Powers of the Commissioners for detecting and defeating Conspiracies*," being passed, and returned to this House by the Honorable the Senate.

Also, the Bill entitled, "*An Act more effectually to provide Supplies of Flour, Meal and Wheat, for the Army*," being passed, and returned to this House by the Honorable the Senate;

Ordered, That Mr. K. Van Rensselaer and Mr. Teller, carry the above Bills to the Honorable the Council of Revision.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. October 29, 1778.

THE House met pursuant to Adjournment.

The Bill entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions, to represent this State in Congress, and for other Purposes therein mentioned*," was read the second Time, and committed to a Committee of the whole House.

A Message from the Honorable the Senate, by Mr. Pawling, was read, and is in the Words following, viz,

"State of New-York.

In Senate, October 29, 1778.

"The engrossed Bill entitled, "*An Act to establish a Night-Watch in the Counties of Ulster, Tryon, Charlotte and Albany*," being read the third Time.

"Resolved, That the Bill do pass.

"Ordered, That Mr. Pawling carry the Bill to the Honorable the House of Assembly for Concurrence.

By Order of the Senate,

ROBERT BENSON, Clerk."

The said Bill entitled, "*An Act to establish a Night-Watch, in the Counties of Ulster, Tryon, Charlotte and Albany*," was read the first Time, and ordered a second Reading.

The House resolved itself into a Committee of the whole House, on the Bill entitled, *An Act for paying the several Sums therein mentioned,* after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. J. Clark, from the said Committee, reported, That the Committee had made some Progress therein, and directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read and agreed to by the House.

Ordered, That the said Committee have Leave to sit again.

The Bill entitled, *"An Act for procuring a further Supply of Clothing, for the five Continental Battalions, raised under the Direction of this State,"* being passed, and returned to this House by the Honorable the Senate;

Ordered, That Mr. Brasler and Mr. Wickes, carry the said Bill to the Honorable the Council of Revision.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 29, 1778.

THE House met, pursuant to Adjournment.

By unanimous Consent of the House, The Bill entitled, *"An Act to establish a Night-Watch, in the Counties of Ulster, Tryon, Charlotte and Albany,"* was read the second Time, and committed to a Committee of the whole House.

A Petition of a Number of the Inhabitants of the District of Schohary, in the County of Albany, on Behalf of George Mann, now a Prisoner, confined in the Gaol of the said County, for treasonable Practices against this State, and praying a Pardon for the said George Mann, was read, and ordered to lie on the Table.

A Message from the Honorable the Senate, by Sir James Jay, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 27, 1778.

"The Senate proceeded to the Consideration of the Resolutions of the Honorable the House of Assembly, of the twenty-fourth Instant, respecting the Disorders in the North-Eastern Parts of this State.

"The first of the said Resolutions being read, and the Question put, Whether this Senate do concur therein, it was carried in the Affirmative.

"Resolved therefore, That this Senate do concur with the Honorable the House of Assembly, in the first of their said Resolutions.

"The second of the said Resolutions being read, and the Question put thereon, it was carried in the Negative.

"Resolved therefore, That this Senate do not concur with the Honorable the House of Assembly, in the second of their said Resolutions.

"The third of the said Resolutions being read, and the Question put thereon, it was carried in the Affirmative.

"Resolved therefore, That this Senate do concur with the Honorable the House of Assembly, in the third of their said Resolutions.

"The fourth or last of the said Resolutions being read, and the Question put thereon, it was carried in the Negative."

"Resolved therefore, That this Senate do not concur with the Honorable the House of Assembly, in the fourth or last of their said Resolutions.

"Ordered, That Mr. Scott and Sir James Jay, be a Committee to prepare and bring in Resolutions, to be substituted in the Stead of those, of the above mentioned Resolutions, of the Honorable the House of Assembly, in which the Senate do not concur."

October 28th, P. M.

"Mr. Scott, from the Committee for the Purpose appointed, reported the following Resolutions (to be substituted in the Stead of those of the Honorable the House of Assembly, of the 24th Instant, in which the Senate do not concur) which was read and agreed to, viz.

"And whereas it is impossible to establish any general Principle, for the Determination of all Disputes that may arise between Persons, claiming under New-Hampshire or Massachusetts-Bay on the one, and New-York on the other Part; but each Case must be determined according to its particular Merits;

Resolved therefore, (if the Honorable the House of Assembly concur herein,) That in all Cases of Disputes, arising between Persons claiming under New-Hampshire or Massachusetts-Bay on the one, and New-York on the other Part, for the same Lands (besides confirming such Possessions as were made under New-Hampshire or Massachusetts-Bay, prior to any Grants for the same under New-York) the Legislature will submit the Determination thereof, to such Persons as the Congress of the United States, shall elect or appoint for

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that

that Purpose, to be determined according to Equity and Justice, without adhering to the strict Rules of Law. *Provided always*, That nothing in these Overtures contained, shall deprive any Persons actually possessing Lands under *New-York*, of the Lands so by them severally actually possessed; but such Persons shall be confirmed in their respective Possessions.

Resolved, In Case of the like Concurrence, that all Persons shall be entitled to the Benefit of the above-mentioned and these Resolutions, and those of the Honorable the House of Assembly, of the 24th Instant, wherein this Senate has concurred, notwithstanding they may have withheld their Allegiance from, and been in Opposition to the Government of this State, since the first Day of *May* last. *Provided*, That no Person shall be entitled to such Benefit who shall have committed Treason against this State, by adhering to the King of *Great-Britain*.

Ordered, That Sir *James Jay*, carry a Copy of the foregoing Resolutions, together with a Copy of the Proceedings of this Senate (of the 27th Instant) on the Resolutions of the Honorable the House of Assembly, of the 24th Instant, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

Two several Resolutions of the Honorable the Council of Revision, of the 28th Instant, delivered by the Chief Justice, were read, and are in the Words following, *viz.*

"*Resolved*, That it doth not appear improper to this Council, that a Bill, entitled, "*An Act to repeal an Act, entitled, an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" should become a Law of this State."

"*Resolved*, That it doth not appear improper to this Council, that a Bill, entitled, "*An Act for continuing the Powers of the Commissioners for detecting and defeating Conspiracies,*" should become a Law of this State."

By unanimous Consent, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions, to represent this State in Congress, and for other Purposes therein mentioned,*" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *J. Clark*, from the said Committee, reported, that the Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

A Petition of Capt. *John Buchanan*, setting forth, that on the third Day of *January*, 1778, he was wounded in the Arm and Shoulder, in an Action with the Enemy near *Tarry-Town*, and praying Relief, was read.

Ordered, That the said Petition be committed to a Committee, and Mr. *Tredwell* and Mr. *Schoonmaker*, were appointed a Committee accordingly.

Mr. *J. Clark*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for paying the several Sums therein mentioned,*" reported, that the Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. October 30, 1778.

THE House met pursuant to Adjournment.

Ordered, That Mr. *Wickes* and Mr. *Lawrence*, carry a Copy of the Resolution of this House, and concurrent Resolution of the Honorable the Senate, offering the several Rewards to any Person or Persons, who shall apprehend and secure *Claudius Smith*, and several other Persons therein mentioned, to his Excellency the Governor.

Mr. *J. Clark*, from the Committee of the whole House, to whom was referred the Bill entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions to represent this State in Congress, and for other Purposes therein mentioned,*" reported, that the Committee had gone through the said Bill, made several Amendments thereto, and altered the Title, which altered Title is in the Words following, *viz.* "*An Act for removing Doubts, with Respect to the Appointment of Delegates, on special or extraordinary Occasions, and for authorising the Council of Appointment, to appoint the Officers in the Continental Forces, raised under the Direction of this State;*" which Report he read in his Place, and afterwards delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

"*Resolved*, That the said Bill as amended do pass.

Ordered,

Ordered, That Mr. Lockwood and Mr. Tozer, carry the said Bill and Amendments, to the Honorable the Senate.

The engrossed Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" was read the third Time; and the Question being put, Whether the Bill should pass. Debates arose thereon, and it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. E. Clark,	Mr. L'Homedieu,	Mr. Dodge,	Mr. Mills,	Mr. Van Houten,
Mr. Miller,	Mr. Wickes,	Mr. Schoonmaker,	Mr. T. Crane,	Mr. Tredwell,
Mr. Younglove,	Mr. Benson,	Mr. Smith,	Mr. Benedict,	Mr. J. Clark,
Mr. Bancker,	Mr. Lawrence,	Mr. Honeywell,	Mr. Dunscomb,	Mr. Tozer,
Mr. Snyder,	Mr. Gelfon,	Mr. Jay,	Mr. Lockwood,	Mr. Baker.
Mr. Lott,	Mr. Harpur,			

For the Negative.

Mr. Van Horne,	Mr. Newkerk,	Mr. Teller,	Mr. Tayler,	Mr. Swartwout,
Mr. Waggoner,	Mr. Bell,	Mr. K. Van Rensselaer,	Mr. Brinckerhoff,	

Thereupon Resolved, That the Bill do pass.

Ordered, That Mr. Lockwood and Mr. Tozer, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

A Message from his Excellency the Governor to the Legislature, was received from the Honorable the Senate, and being read, is in the Words following, viz.

"Gentlemen,

"In Addition to the Papers accompanying my Message, of the 16th Instant, representing the Difficulties in obtaining Supplies of Flour and Forage, for the Use of the Army: I now transmit to the Legislature, the Copy of a Letter, which I have since received from his Excellency General Washington on the same Subject, and a Letter from Colonel Hay, Deputy Quarter-Master General, which also merits the Consideration of the Legislature.

"You will also herewith receive a Copy of a Resolve of Congress, of the 16th Instant, which is offered merely as a Matter of Information.

Poughkeepsie, October 28, 1778.

G E O. C L I N T O N."

The several Papers accompanying the said Message, were also read.

Ordered, That the said Message and Papers be referred to a Committee, and Mr. Tayler, Mr. Benson and Mr. Schoonmaker, were appointed a Committee accordingly.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. October 30, 1778.

THE House met pursuant to Adjournment.

Two several Petitions, from the Inhabitants of *Amenia* Precinct, in *Dutchess* County, praying Permission to exchange Flour and Wheat, with the neighbouring States for Salt, were read.

Ordered, That the said Petitions be referred to a Committee, and Mr. Dodge, Mr. Tredwell and Mr. Jay, were appointed a Committee accordingly.

A Petition of *John Morrison*, setting forth that his Horses, Carriage and Flour, have been seized and sold at Vendue, and praying Relief, was read.

Ordered, That the said Petition be referred to a Committee, and Mr. Smith and Mr. J. Clark, were appointed a Committee accordingly.

The House proceeded to the Consideration of the two Resolutions of the Honorable the Senate, of the 28th Instant, respecting the Disorders prevailing in the North-Eastern Parts of this State; Thereupon,

Resolved, That this House do concur with the Honorable the Senate, in the said two Resolutions.

Resolved, (If the Honorable the Senate shall concur herein) That his Excellency the Governor, be requested to issue his Proclamation, to contain the Substance of the concurrent Resolutions of both Houses, passed in this present Session, relative to the Disorders, prevailing in the North-Eastern Parts of this State, and to cause such Proclamation to be published and distributed throughout those Parts of this State, and employ Persons for that Purpose, and that the Legislature will defray the Expence thereof; and that his Excellency in such Proclamation, be authorised to pledge the Faith of the Legislature of this State, for the faithful Performance of the several Matters contained in the said concurrent Resolutions, and require all Persons to take Notice thereof, and to govern themselves accordingly.

Ordered, That Mr. Honeywell and Mr. Baker, carry a Copy of the above Resolutions, to the Honorable the Senate.

A Copy of a Resolution of the Honorable the Council of Revision, of this Day, delivered by the Chancellor, was read, and is in the Words following, viz.

"Resolved,

"Resolved, That it does not appear improper to this Council, that the Bill entitled, "*An Act for procuring a further Supply of Clothing for the five Continental Battalions, raised under the Direction of this State,*" should become a Law of this State.

The House then resolved itself into a Committee of the whole House, on the Bill entitled, "*An Act to establish a Night-Watch in the Counties of Ulster, Tryon, Charlotte and Albany;*" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Jay, from the said Committee, reported, that the Committee had gone through the said Bill: That when the Committee came to that Clause in the Bill, wherein the several Persons therein mentioned, are exempted from serving as Watchmen; Mr. Harpur moved, That the said Clause should be rejected, except such Parts thereof, as relates to Ministers of the Gospel; Debates arose thereon, and the Question being put, it was carried in the Negative, by every Member present, except Mr. Harpur, Mr. Snyder, Mr. Younglove, Mr. Tayler and Mr. Schoonmaker, who voted in the Affirmative. That a Motion was then made, That the Title of the said Bill, should be altered, which was agreed to by the Committee, and which altered Title, is in the Words following, viz. "*An Act to establish a Night-Watch, in the Counties of Ulster, Dutchess, Tryon, Charlotte and Albany,*" which Report he read in his Place, and afterwards delivered the Bill with the Amendments, in at the Table, where the same was again read, and agreed to by the House.

Mr. J. Clark, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Payment of the several Sums therein mentioned,*" reported, That in going through the said Bill, when the Committee came to that Part of the Bill, allowing to the Delegates in Congress, an additional Sum (to the Sum of Seven Dollars per Day now allowed them) from the fourth Day of July last, to the fourth Day of this Instant Month of October; a Motion was made that they should severally be allowed, each the additional Sum of Five Dollars per Day; That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Younglove,	Mr. Brinckerhoff,	Mr. Boerum,	Mr. Brasher,	Mr. T. Crane,
Mr. Lott,	Mr. Teller,	Mr. Tredwell,	Mr. L'Homedieu,	Mr. Bancker,
Mr. Gelston,	Mr. Miller,	Mr. Lawrence,	Mr. Swartwout,	Mr. Tozer,
Mr. Snyder,	Mr. Schoonmaker,	Mr. Lockwood,	Mr. Van Houten,	Mr. Benedict,

For the Affirmative.

Mr. Tayler,	Mr. Bell,	Mr. Benson,	Mr. Honeywell,	Mr. Mills,
Mr. Speaker,	Mr. K. Van Rensselaer,	Mr. Jay,	Mr. Harpur,	Mr. Duncomb,
Mr. Waggoner,	Mr. Van Horne,	Mr. Smith,	Mr. Baker,	Mr. E. Clark.

That a Motion was then made, That they should severally be allowed each the additional Sum of Three Dollars per Day, That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Tayler,	Mr. Bell,	Mr. Harpur,	Mr. K. Van Rensselaer,	Mr. Smith,	Mr. Baker,
Mr. Speaker,	Mr. Teller,	Mr. Swartwout,	Mr. Miller,	Mr. Boerum,	Mr. Mills,
Mr. Younglove,	Mr. Lawrence,	Mr. Bancker,	Mr. Van Horne,	Mr. Brasher,	Mr. T. Crane,
Mr. Lott,	Mr. Honeywell,	Mr. Brinckerhoff,	Mr. Benson,	Mr. E. Clark,	Mr. Benedict,
Mr. Gelston,	Mr. L'Homedieu,	Mr. Van Houten,	Mr. Jay,	Mr. Tozer,	Mr. Duncomb,
Mr. Waggoner,					

For the Negative.

Mr. Snyder,	Mr. Schoonmaker,	Mr. Tredwell,	Mr. Lockwood,
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That the Committee had gone through the said Bill, made several Amendments thereto, which Report he read in his Place, and afterwards delivered the Bill with the Amendments in at the Table, where the same was again read, and agreed to by the House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. October 31, 1778.

THE House met pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Smith, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 31, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly in their Resolution of Yesterday, requesting his Excellency the Governor, to issue his Proclamation, to contain the Substance of the concurrent Resolutions of both Houses, passed in this present Session, relative to the Disorders prevailing in the North-Eastern Parts of this State, and to cause such Proclamation to be published, and distributed throughout those Parts of the State, and employ Persons for that Purpose, and that the Legislature will defray the Expence thereof, and that his Excellency in such Proclamation, be authorized to pledge the Faith of the Legislature of this State, for the faithful Performance

Performance of the several Matters contained in the said concurrent Resolutions, and require all Persons to take Notice thereof, and to govern themselves accordingly."

Ordered, That Mr. Brasfer and Mr. T. Crane, wait upon his Excellency the Governor, with Copies of the concurrent Resolutions of both Houses, passed in this present Session, relative to the Disorders prevailing in the North-Eastern Parts of this State; and of the Resolution of this House, of the 30th Instant; and of the Resolution of Concurrence therein, of the Honorable the Senate, of this Day; requesting his Excellency to issue his Proclamation, to contain the Substance of the said concurrent Resolutions first above mentioned; and authorising his Excellency, to pledge the Faith of the Legislature of this State, for the faithful Performance of the several Matters contained in the said Resolution.

A Message from the Honorable the Senate, by Sir James Jay, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 31, 1778.

"Resolved, if the Honorable the House of Assembly concur herein, That a Member of this Senate, and a Member of the Honorable the House of Assembly, be appointed to assist the Secretary of this State, and the Clerks of the Senate and Assembly, in having the Laws of this State (passed in the Course of the last, and the present Session) and the Journals of the Senate and Assembly, printed with the utmost Dispatch; and in order thereto, that they be empowered to employ such Printer or Printers, as they may think proper, and to procure the necessary materials to carry on the Work; and that the Legislature will provide for the Payment of the Expence attending the same.

"Resolved, That the Omission of this Senate, to take into Consideration the Resolution of the Honorable the House of Assembly, of the 23d Instant, respecting the Adjournment of the Legislature, was not intended to give Offence to that Honorable House, but that this Senate would have taken the said Message into Consideration before Friday last, had it not, thro' the great Hurry of Business, escaped their Remembrance.

"Resolved, That if the Honorable the House of Assembly will signify to this Senate when, in their Opinion, the Legislature can adjourn, consistently with the public Interest, this Senate will endeavour to concur with them therein."

Resolved, That this House do concur with the Honorable the Senate in their Resolution of this Day, "That a Member of the Honorable the Senate, and a Member of this House, be appointed to assist the Secretary of this State, and the Clerks of the Senate, and Assembly, in having the Laws of this State (passed in the Course of the last and present Session) and the Journals of the Senate and Assembly printed, and that the Legislature will provide for the Expence thereof," and that Mr. Harpur be, and he is hereby appointed the Member from this House accordingly.

Ordered, That Mr. Brasfer and Mr. T. Crane, carry a Copy of the said Resolution of Concurrence, to the Honorable the Senate.

A Petition of Paul Schenk, and four Hundred and forty eight other Persons; praying that the Legislature will, before the Close of the present Session, form a Law for the Confiscation and Sale of the real and personal Property of the Enemies of this State, was read.

Ordered, That the said Petition be referred to a Committee, and Mr. Tayler, Mr. L'Honnemieu, Mr. Swartwout, Mr. Brasfer and Mr. Benson, were appointed a Committee accordingly.

Whereas the Honorable the Congress of the United States of America, have resolved, That Lands should be granted to the Troops of the said States, enlisted for the Term of the present War with Great-Britain, as a Bounty, and several of the said States having no unappropriated Lands to satisfy their Quotas of the said Bounty;

Resolved, That the Delegates from this State, be authorised (if they shall judge it expedient) to pledge the Faith of this State, that the Legislature of this State will grant to the said States, having no unappropriated Lands, respectively, or any or either of them, their respective Proportions of the said Bounty. The said States respectively defraying the Expences of locating and surveying the said Lands.

Ordered, That Mr. Brasfer and Mr. T. Crane, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence thereto.

A Message from his Excellency the Governor to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Gentlemen,

"As the Monies heretofore granted by the Legislature, for supplying the five Continental Battalions, raised under the Direction of this State, with Necessaries, are nearly expended, I have to recommend that a farther Provision be made for this Service. A Letter from Mr. Currie on this Subject, will be herewith delivered to you, for your Information."

"I also (with this Message) refer to the Consideration of the Legislature, sundry Pay-Rolls, for Services performed by the Militia, at the Request of the Civil Magistrate, which, however reasonable they may appear to be, I do not conceive myself authorised, by Law, to Discharge.

Poughkeepsie, October, 1778.

G E O. C L I N T O N."

The several Papers accompanying the said Message, were also read.

Ordered, That the said Message and Papers, be referred to a Committee, and Mr. Benson, Mr. K. Van Rensselaer and Mr. E. Clark, were appointed a Committee accordingly.

The Bill entitled, "*An Act to establish a Night Watch, in the Counties of Ulster, Tryon, Charlotte and Albany,*" with the Amendments, was read the third Time.

Resolved, That the said Bill as amended do pass.

Ordered, That Mr. Brasfer and Mr. T. Crane, carry the said Bill with the Amendments, to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. Russell, was read, and is in the Words following, viz.

"State of New-York.

In Senate, October 31, 1778.

"Resolved, That this Senate do agree to the Amendments of the Honorable the House of Assembly, to the Bill, entitled, "*An Act to establish a Night Watch, in the Counties of Ulster, Tryon, Charlotte and Albany,*" and that the Bill be amended accordingly. The said Bill being amended, the Title thereof, is as follows, viz. "*An Act to establish a Night Watch, in the Counties of Ulster, Tryon, Charlotte, Dutchess and Albany.*"

A Copy of a Resolution of the Honorable the Council of Revision, of this Day, delivered by the Chancellor, was read, and is in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act more effectually to provide Supplies of Flour, Meal and Wheat, for the Army,*" should become a Law of this State."

Then the House adjourned until nine o'Clock To-Morrow Morning.

S U N D A Y, 9 o'Clock, A. M. November 1, 1778.

THE House met pursuant to Adjournment, and a sufficient Number of Members not appearing to proceed on Business, the House adjourned until nine o'Clock To-Morrow Morning.

M O N D A Y, 9 o'Clock, A. M. November 2, 1778.

THE House met pursuant to Adjournment.

A Representation from Matthew Vischer, John M. Beekman and Isaac D. Fonda, Esquires, three of the Commissioners for Conspiracies, &c. dated at Albany, the twentieth Day of October last, and directed to the Honorable the Senate and Assembly, was read setting forth, that the several Persons therein named, had, in Pursuance of the "*Act more effectually to prevent the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State,*" appeared before the said Commissioners, and upon being tendered the Oath in the said Act contained, had refused to take the same; that the said Persons afterwards, and previous to their Removal within the Enemy's Lines, and of their own Accord, appeared before the said Commissioners, and alledging that the Doubts and Scruples of Conscience, which they laboured under at the Time, were removed and offered to take the said Oath; that thereupon the said Commissioners had suspended all farther Proceedings against the said Persons, until the farther Direction of the Legislature could be had in the Premises.

Ordered, That the said Representation be committed to a Committee of the whole House, and that the said Committee proceed to the Consideration thereof, at the same Time, that they proceed to the Consideration of the Bill, entitled, "*An Act to relieve certain Persons, against the Penalties in the "Act for more effectually preventing the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State.*"

The Bill entitled, "*An Act for paying the several Sums therein mentioned,*" being read for engrossing,

A Motion was made, that a Clause be added, which is in the Words following, viz,

"To the several Delegates from this State, in Congress, appointed in the present Session of the Legislature, each the Sum not exceeding _____ to be by them respectively accounted for in their Accounts, to accrue for their respective Services in attending Congress."

Debates arose thereon, and the Question being put, it was carried in the Affirmative in Manner following, viz.

For the Affirmative.

Mr. Wickes,	Mr. Teller,	Mr. Tayler,	Mr. Tredwell,	Mr. Schoonmaker,	Mr. L'Hommiedieu,
Mr. Smith,	Mr. Miller,	Mr. E. Clark,	Mr. Duncomb,	Mr. Jay,	Mr. Tozer,
Mr. Van Horne,	Mr. Boerum,	Mr. Dodge,	Mr. Van Houten,	Mr. Lett,	Mr. Mills,
Mr. Newkerk,	Mr. K. Van Rensselaer,	Mr. Benton,	Mr. Lawrence,	Mr. Gelfton,	

For

For the Negative.

Mr. Younglove,
Mr. Brinckerhoff,Mr. Lockwood,
Mr. Honeywell,Mr. Benedict,
Mr. T. Crane,Mr. Harpur,
Mr. Bancker,Mr. Swartwout,
Mr. Baker,Mr. J. Clark,
Mr. Brasher,

A Motion was then made that the Title of the Bill should be altered, which was agreed to by the House, which Title so altered, is in the Words following, viz. "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*"

Ordered, That the said Bill with the Amendments be engrossed.

Mr. Benson, from the Committee to whom was referred the Petition presented on the thirty-first Day of October last, of several Persons, praying, That the Legislature will, before the Close of the present Session, form a Law for the Confiscation and Sale of all the real and personal Property of the Enemies of this State, reported, That in the Opinion of the said Committee, as no Bill is, as yet prepared in this House, for the Purpose mentioned in the said Petition, it will be impossible to prepare and pass such Bill, at the present Meeting of the Legislature, unless the House will continue sitting for a longer Time than was intended at the Commencement of the Session. That if the Committee appointed on the fifteenth Day of October last, to prepare and bring in a Bill for a similar Purpose, had prepared and brought in the same, it would have been impossible to have passed the same into a Law at this Time, unless the present Meeting of the Legislature, had in like Manner been prolonged; which Report he read in his Place, and afterwards delivered it in at the Table, where the same being again read,—Debates arose thereon, and the Question being put, Whether the House do agree with the said Committee in their Report, it was carried in the Affirmative, by every Member present, except Mr. Harpur and Mr. Wickes, who voted in the Negative. Thereupon,

Resolved, That this present Meeting of the Legislature cannot, without the greatest Inconveniency to most of the Members, be prolonged for a longer Time than was intended, for its Continuance at the Commencement of this Session.

A Motion was then made for a Resolution, in the Words following, viz.

"Resolved, That a Bill for Confiscations is not so indispensably necessary to be passed at this Time, as that the same cannot, consistent with the public Good, be deferred until the next Meeting of the Legislature." Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

For the Affirmative.

Mr. Brinckerhoff,
Mr. Dodge,
Mr. Teller,
Mr. Newkerk,
Mr. K. Van Rensselaer,Mr. Van Houten,
Mr. Snyder,
Mr. Van Horne,
Mr. Tredwell,
Mr. E. Clark.Mr. Benson,
Mr. Schoonmaker,
Mr. Lott,
Mr. Swartwout,
Mr. Honeywell,Mr. Duncomb,
Mr. Benedict,
Mr. Gelston,
Mr. Lockwood,
Mr. Brasher,Mr. Jay,
Mr. Tayler,
Mr. Bancker,
Mr. Miller,
Mr. L'Hommedieu,Mr. J. Clark,
Mr. Tozer,
Mr. Mills,
Mr. T. Crane.

For the Negative.

Mr. Younglove,

Mr. Wickes,

Mr. Smith,

Mr. Harpur,

Mr. Lawrence.

Thereupon, Resolved, That a Bill for Confiscations, is not so indispensably necessary to be passed at this Time, as that the same cannot, consistent with the public Good, be deferred until the next Meeting of the Legislature.

Ordered, That the Committee appointed on the fifteenth Day of October last, to prepare and bring in a Bill, to confiscate and make Sale of all the real and personal Property of the Enemies of this State, prepare and bring in the same, on the first Day of the next Meeting of the Legislature.

Ordered, That Mr. Benson, Mr. Dodge and Mr. Tredwell, be added to the said Committee.

A Message from the Honorable the Senate, by Mr. Landon, was read, and is in the Words following, viz,

"State of New-York.

In Senate, November 2, 1778.

"Jonathan Lawrence, Esq; a Member of this Senate, and one of the Commissioners, appointed by the late Convention of this State, for exploring Lead Mines, &c. informed the Senate, that the said Commissioners have on Hand a small Quantity of Lead Ore; and that he has been applied to by a Person to dispose of some of it, to be used in the manufacturing of Articles much wanted by the Inhabitants of this State.

"Resolved, (if the Honorable the House of Assembly concur herein) That the said Jonathan Lawrence, Esq; be, and he is authorised to dispose of such Lead Ore, as the said Commissioners have now on Hand, for the Benefit of this State, and that he account with the Auditor-General of this State, for the same."

By unanimous Consent, the engrossed Bill, entitled, "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Tayler and Mr. Gelston, carry the said Bill to the Honorable the Senate for Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning. TUESDAY,

TUESDAY, 9 o'Clock, A. M. November 3, 1778.

THE House met pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Ten Broeck, was read, and is in the Words following, viz.

"State of New-York.

In Senate, November 2, 1778.

"The Bill entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" with the Amendments, was read the third Time.

"Resolved, That the Bill with the Amendments do pass.

"Ordered, That Mr. Ten Broeck, carry the Bill, with a Copy of the said Amendments, to the Honorable the House of Assembly.

By Order of the Senate,

ROBERT BENSON, Clerk."

The said Amendments were then read, and the House proceeded to the Consideration of the same; and the said Bill and Amendments being severally read through by Paragraphs, when the House came to that Amendment of the Honorable the Senate, which is in the Words following, viz.

"And whereas many Persons in this State, taking Advantage of the Necessities of their Country, have, in prosecuting their private Gain, amassed large Sums of Money, to the great Prejudice of the Public, and ought therefore to pay an extraordinary Tax, and it will be impossible for the Assessors, with any Degree of Certainty, to ascertain the Profits made by such Persons in Manner aforesaid;

"Be it therefore enacted by the Authority aforesaid, That the Assessors shall, and are hereby required to assess all such Persons respectively, whether fixed Residents of this State, or residing therein occasionally, for the Purpose of any Trade, Commerce or Traffic, for their Faculty, or the Means that have been used by them respectively for enriching themselves, at such Rates respectively, over and above the Assessment hereby required, on their real and personal Estates respectively, as they the Assessors shall in their Judgment think proper; which Assessment last aforesaid, shall be included in the personal Tax Lists, and shall in all Things, in and previous to the Levy thereof, be subject to the Regulations herein above prescribed respecting the personal Tax Lists."

Debates arose thereon, and the Question being put, Whether the House do agree to the said Amendment, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Younglove,	Mr. Snyder,	Mr. Wickes,	Mr. T. Crane,	Mr. Benedict,	Mr. Tozer,
Mr. Smith,	Mr. Newkerk,	Mr. J. Clark,	Mr. Mills,	Mr. Duncomb,	Mr. Brather,
Mr. Dodge,	Mr. Lawrence,	Mr. Van Houten,	Mr. Baker,	Mr. E. Clark,	Mr. Honeywell,
Mr. Schoonmaker,					

For the Negative.

Mr. Hoffman,	Mr. L'Hommedieu,	Mr. Tredwell,	Mr. Swartwout,	Mr. Bancker,	Mr. Lockwood,
Mr. Van Horne,	Mr. Taylor,	Mr. Benson,	Mr. Miller,	Mr. Harpur,	Mr. Boerum,
Mr. K. Van Rensselaer,	Mr. Gellison,	Mr. Brinckerhoff,	Mr. Lott,	Mr. Jay,	Mr. Teller,

The House then agreed to the other Amendmements. Thereupon,

Resolved, That this House do concur with the Honorable the Senate, in their Amendmements to the said Bill.

Ordered, That Mr. Brinckerhoff and Mr. Snyder, carry back to the Honorable the Senate, the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" and inform them, that this House have agreed to their Amendmements to the said Bill, and amended the same accordingly.

A Copy of a Resolution of the Honorable the Council of Revision, of Yesterday, received from the Honorable the Senate, was read, and is in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that a Bill, entitled, "*An Act to establish a Night Watch, in the Counties of Ulster, Tryon, Charlotte, Dutchess and Albany,*" should become a Law of this State."

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. November 3, 1778.

THE House met, pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Ten Broeck, was read, and is in the Words following, viz.

"State of New-York.

November 2, 1778.

"Resolved, That this Senate do not concur with the Honorable the House of Assembly, in their Amendments to the Bill, entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions, to represent this State in Congress, and for other Purposes therein mentioned.*"

Resolved, That this House do adhere to their Amendments to the Bill, entitled, "*An Act to ascertain the Mode of appointing extraordinary Delegates on special Occasions, to represent this State in Congress, and for other Purposes therein mentioned,*"

Ordered,

Ordered, That Mr. Hoffman and Mr. Boerum, carry a Copy of the above Resolution to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. Ten Broeck, was read, and is in the Words following, viz.

[The Copy of this Message was never delivered to the Printer.]

Resolved, That this House do concur with the Honorable the Senate, in their Resolution of Yesterday, authorising the Delegates from this State in Congress, to pledge the Faith of this State, that the Legislature will grant to the Officers and Soldiers belonging to such States, as have no unappropriated Lands, their Proportions of the Lands they are respectively entitled unto as a Bounty.

Ordered, That Mr. Benson and Mr. Lott, carry a Copy of the said Resolution of Concurrence, to the Honorable the Senate.

A Letter from B. Bradner, directed to the Speaker, was read, and ordered to lie on the Table.

Resolved, That a Committee of two Persons, be appointed by this House, to join with a like Committee to be appointed by the Honorable the Senate, to examine during the Recess of the Legislature the public Accounts of this State, and report thereon on the first Day of the next Meeting of the Legislature. That the said joint Committee, or a Majority of them, be authorised to make such Examination, and to send for Persons and Papers, and that the Legislature will provide for the Expence thereof, and make a reasonable Allowance to the said Committee for their Services.

Ordered, That Mr. Brinckerhoff and Mr. Snyder, carry a Copy of the above Resolution to the Honorable the Senate, and request their Concurrence.

The Bill, entitled, "An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State," being passed, and returned to this House, by the Honorable the Senate,

Ordered, That Mr. Harpur and Mr. Dunscomb, carry the said Bill to the Honorable the Council of Revision.

The House resolved itself into a Committee of the whole House, on the Bill entitled, "An Act to relieve certain Persons, against the Penalties in the Act for more effectually preventing the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State;" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. J. Clark, from the said Committee, reported, That after the said Bill had been read by Paragraphs in the Committee, a Motion was made, that the said Bill be rejected; That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Younglove,	Mr. Gelston,	Mr. Lawrence,	Mr. Honeywell,	Mr. Tozer,
Mr. Van Houten,	Mr. Wickes,	Mr. T. Crane,	Mr. Harpur,	Mr. Mills,
Mr. Boerum,	Mr. Snyder,	Mr. Smith,	Mr. Brather,	Mr. Baker,
Mr. Schoonmaker,	Mr. Tredwell,	Mr. Lockwood,	Mr. Benedict,	Mr. L'Hommedieu.
Mr. Miller,				

For the Negative.

Mr. Teller,	Mr. Bancker,	Mr. Benson,	Mr. Speaker,	Mr. Tayler,
Mr. Newkerk,	Mr. Dunscomb,	Mr. Brinckerhoff,	Mr. Swartwout,	Mr. Lott,
Mr. Van Horne,	Mr. Hoffman,	Mr. K. Van Rensselaer,	Mr. Jay,	

Which they had directed him to report, and he read the Report in his Place, and afterwards delivered the same in at the Table, where the same being again read.—Debates arose thereon, and the Question being put, Whether the House do agree with the said Committee in their said Report, it was carried in the Affirmative. Thereupon,

Resolved, That the Bill be rejected.

A Message from the Honorable the Senate, by Mr. *Landon*, with the Bill therein mentioned, was read, and is in the Words following, viz.

"State of *New-York*.

In Senate, November 3, 1778.

"The Bill entitled, "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*" with Amendments, was read the third Time.

"Resolved, That the Bill with Amendments do pass.

The said Amendments were then read, and the House proceeded to the Consideration of the same, and the said Bill and Amendments being severally read, were agreed to by the House.

Resolved, That this House do concur with the Honorable the Senate, in their Amendments to the said Bill.

Ordered, That Mr. *Tredwell* and Mr. *Teller*, carry back the Bill, entitled, "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*" to the Honorable the Senate, and inform them that this House, have agreed to their Amendments to the said Bill, and amended the same accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. November 4, 1778.

THE House met pursuant to Adjournment.

Whereas the Senate and Assembly, have by concurrent Resolutions, passed in this present Session;

Resolved, That a special Occasion doth exist, on which the Chancellor and Judges of the Supreme Court, may be elected Delegates to the General Congress; and that of the Chancellor and Judges of the Supreme Court, one should, on this Occasion, be elected a Delegate, to continue in Office until the first Day of *March* next.

Resolved, That both Houses will proceed agreeable to the Mode prescribed in the 30th Article of the Constitution, severally to nominate, of the Chancellor and Judges of the Supreme Court, one as a Delegate to represent this State, in the Congress of the United States of *America*, on this special Occasion, at such Time as the Honorable the Senate shall appoint for the Purpose.

Resolved, That this House will agree, that the Election of a Delegate on this Occasion agreeable to the said Mode, shall not be drawn into Precedent, if it should appear that the electing of Delegates on special Occasions, agreeable to the said Mode, is not warranted by the Constitution of this State.

Ordered, That Mr. *Bancker* and Mr. *Newkerk*, carry a Copy of the said Resolutions to the Honorable the Senate, for their Concurrence.

A Message from the Honorable the Senate by Mr. *Ruffel*, was read, and is in the Words following, viz.

"State of *New-York*.

In Senate, November 4, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of Yesterday, "That a Committee of two Persons be appointed by the Senate and Assembly respectively, to examine during the Recess of the Legislature, the public Accounts of this State."

"Resolved, That Mr. *Lawrence* and Mr. *Roosevelt*, be the Committee on the Part of this Senate, for the Purposes in the said Resolution of the Honorable the House of Assembly, mentioned."

The Bill entitled, "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*" being passed and returned to this House, by the Honorable the Senate

Ordered, That Mr. *Hoffman* and Mr. *Smith*, carry the said Bill to the Honorable the Council of Revision.

Resolved, That Mr. *Bancker* and Mr. *Jay*, be the Committee from this House, to join a Committee from the Honorable the Senate, for the like Purpose, to examine during the Recess of the Legislature, the public Accounts of this State.

Ordered, That Mr. *Benedict* and Mr. *Mills*, carry a Copy of the above Resolution, to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. *Ruffel*, was read, and is in the Words following, viz.

"State of *New-York*.

In Senate, November 4, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of this Day, that both Houses will proceed, agreeable to the Mode prescribed in the 30th Article of the Constitution, severally to nominate, of the Chancellor and Judges of the Supreme Court, one, as a Delegate to represent this State, in the Congress of the United States of *America*, on this special Occasion.

"Resolved, That this Senate will proceed to such Nomination, at half past twelve o'Clock this Day.

The House then proceeded openly to nominate, of the Chancellor and Judges of the Supreme Court, one, as a Delegate to represent this State, in the General Congress of the United States of *America*, and the Members each proposed a Person, as follows, *viz.*

The Honorable John Jay, Esq;		The Honorable R. R. Livingston, Esq;		The Honorable John Jay, Esq;		The Honorable R. R. Livingston, Esq;	
Mr. Gelston,	i			Mr. Tredwell,	i		
Mr. Swartwout,	i			Mr. Wickes,	i		
Mr. Bancker,	i			Mr. Lawrence,	i		
Mr. Dodge,	i			Mr. L'Hommedieu,	i		
Mr. Smith,	i			Mr. Brinckerhoff,	i		
Mr. Schoonmaker,	i			Mr. Lott,	i		
Mr. Younglove,	i			Mr. Brasher,	i		
Mr. Teller,	i			Mr. T. Crane,	i		
Mr. Newkerk,	i			Mr. Honeywell,	i		
Mr. Van Horne,	i			Mr. Lockwood,	i		
Mr. Jay,	-	-	i	Mr. Benedict,	i		
Mr. K. Van Rensselaer,	i			Mr. Dunscomb,	-	-	i
Mr. E. Clark,	i			Mr. Harpur,	i		
Mr. Tayler,	i			Mr. Snyder,	i		
Mr. J. Clark,	i			Mr. Van Houten,	i		
Mr. Boerum,	i			Mr. Tozer,	i		
Mr. Miller,	i			Mr. Baker,	i		
Mr. Benson,	i			Mr. Mills,	i		

The Clerk then summoned up the Votes of the Members.

Mr. *Gelston* moved, That the Honorable *John Jay*, Esq; Chief Justice of this State, be nominated by this House a Delegate on this special Occasion. Thereupon,

Resolved, That the Honorable *John Jay*, Esq; Chief Justice of this State, be, and he is hereby nominated by this House a Delegate to represent this State in the General Congress of the United States of *America*, on this special Occasion.

Resolved, That this House will meet the Honorable the Senate at such Time and Place, as that Honorable House shall appoint, to compare the respective Nominations of both Houses, of a Delegate from this State in Congress, on this special Occasion.

Ordered, That Mr. *Benedict* and Mr. *Mills*, carry a Copy of the above Resolution to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. *Floyd*, was read, and is in the Words following, *viz.*

"State of *New-York*.

In Senate, November 4, 1778.

"*Resolved*, That this Senate will meet the Honorable the House of Assembly, in the Assembly Chamber, at such Time as they shall appoint, to compare the respective Nominations of the Senate and Assembly, of a Delegate from this State in Congress, on this special Occasion."

Resolved, That this House will immediately meet the Honorable the Senate, in the Assembly Chamber, to compare the respective Nominations of the Senate and Assembly, of a Delegate from this State in Congress, on this special Occasion.

Ordered, That Mr. *Brasher* and Mr. *K. Van Rensselaer*, carry a Copy of the above Resolution to the Honorable the Senate.

The Speaker then left the Chair, and with the House, attended upon the Honorable the Senate, in the Assembly Chamber, agreeable to the Resolutions of both Houses, to compare the respective Nominations of the Senate and Assembly, of a Delegate from this State in Congress, on this special Occasion; and the Senate being withdrawn, Mr. Speaker resumed the Chair, and informed the House, That the House had met, with the Honorable the Senate, and exchanged Lifts, and that the same Person was nominated in both Lifts. The Lift received from the Honorable the Senate, was then read, and is in the Words following, *viz.*

"State of *New-York*.

In Senate, November 4, 1778.

"*Resolved*, That the Honorable *John Jay*, Esq Chief Justice of the Supreme Court of Judicature of this State, be, and he is hereby declared duly nominated by this Senate, a Delegate to represent this State, in the Congress of the United States of *America*, on this special Occasion." Thereupon,

Resolved, That the Honorable *John Jay*, Esq; Chief Justice of this State, be, and he is hereby declared to be duly nominated, appointed and elected, a Delegate to represent this State in the General Congress of the United States of *America*, on this special Occasion; to continue in Office until the first Day of *March* next.

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock,

3 o'Clock, P. M. November 4, 1778.

THE House met pursuant to Adjournment.

A Copy of a Resolution of the Honorable the Council of Revision, of this Day, delivered by the Chief Justice, was read, and is in the Words following, viz.

"Resolved, That it doth not appear improper to this Council, that the Bill entitled, "*An Act for the Payment of the several Sums, and for other Purposes therein mentioned,*" should become a Law of this State."

The House proceeded to take into Consideration, the Resolution of the Honorable the Senate, of the twenty-sixth Day of *October* last, claiming an equal Right with this House, to originate Money Matters in the Legislature. Thereupon,

Resolved, That by Virtue of the Constitution of this State, *this House is to enjoy the same Privileges*, (except as to the sole Appointment of a Treasurer) *which the Assemblies of the Colony of New-York formerly did of Right enjoy.*

Resolved, That the Assemblies of the Colony of *New-York*, did formerly of Right enjoy the Privilege exclusively, to originate all Money Bills in the Legislature.

Therefore, Resolved, That this House by Virtue of the Constitution of this State, is to enjoy the Privilege exclusively, to originate all money Bills in the Legislature.

Ordered, That Mr. Dodge and Mr. Snyder, carry a Copy of the above Resolutions to the Honorable the Senate.

Resolved, That (if the Honorable the Senate shall concur herein) the Legislature will adjourn on To-Morrow Morning, until the second Tuesday in *January* next, to meet at *Schenectady*, or such other Place, as the Person administering the Government of this State for the Time being, shall by Proclamation, for that Purpose to be issued, assign and appoint.

Ordered, That Mr. Gelston and Mr. Taylor, carry a Copy of the above Resolution to the Honorable the Senate, for Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. November 5, 1778.

THE House met, pursuant to Adjournment.

A Message from the Honorable the Senate, by Mr. Platt, was read, and is in the Words following, viz.

"State of *New-York*.

In Senate, November 5, 1778.

"Resolved, That this Senate do not concur with the Honorable the House of Assembly, in their Resolution of Yesterday, That the Legislature will adjourn until the second Tuesday in *January* next, to meet at *Schenectady*, or such other Place, as the Person administering the Government of this State for the Time being, shall by Proclamation for that Purpose to be issued, assign and appoint.

"Resolved, That tho' this Senate have a Bill depending before them, entitled, "*An Act for Forfeitures and Confiscations,*" which they are anxious to have passed into a Law, during the present Meeting of the Legislature; yet in Case the Honorable the House of Assembly cannot continue sitting, until the said Bill shall have passed thro' all its Forms in both Houses, this Senate will, in such Case, consent to the Adjournment of the Legislature, until the second Tuesday in *January* next.

"Resolved, That this Senate will concur with the Honorable the House of Assembly, in adjourning the Legislature to this Place, or such other Place, as the Person administering the Government of this State for the Time being, shall by his Proclamation appoint."

Then the House adjourned until 3 o'Clock this Afternoon.

3 o'Clock, P. M. November 5, 1778.

THE House met pursuant to Adjournment.

John Coe, Esq; one of the Representatives for the County of *Orange*, appeared, and having taken and subscribed the Oath of Allegiance to this State, as by Law prescribed, before the Speaker, as a Commissioner for that Purpose appointed, took his Seat.

A Petition of *Jacob Concklin*, and seven other Persons, Inhabitants of the County of *Ulster*, was read, setting forth, that at the late Election for Representatives for the said County, Colonel *Thomas Palmer* was a Candidate—That a Number of Votes were taken in the Precinct of *New-Windsor*, for Captain *Bevier*, which being added to the Votes taken in the other Parts of the County, for Captain *Andries Bevier*, will give the said *Andries Bevier* a Plurality of Votes. That several of the said Persons, who voted for Captain *Bevier*, declare that they intended to vote for Adjutant *Bevier*, who they understood was made a Captain, and not for Captain *Andries Bevier*; That if the Votes of the said Persons, are taken from the Number supposed to be for Captain *Andries Bevier*, That Colonel

Palmer

Palmer will then have a Plurality. Wherefore the Petitioners prayed a Scrutiny in the said Election, between the said Thomas Palmer and Captain Andries Bevier.

Ordered, That the said Petition be referred to the Committee of Privileges and Elections.

Ordered, That Mr. Lott and Mr. Smith, be added to the said Committee.

Ordered, That the said Committee enquire into the Matters set forth in the said Petition, during the Recess of the Legislature.

A Message was received from the Honorable the Council of Revision, by the Chief Justice; That he is directed by the said Council, to deliver a Copy of their Objections (signed by his Excellency the Governor) to the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*" together with the said Bill.

The Objections of the Council of Revision to the said Bill, were then read, and are in the Words following, viz.

"In COUNCIL of REVISION, held at Poughkeepsie, November 5, 1778.

Present. His Excellency Governor CLINTON, the Honorable JOHN JAY, Esq; Chief Justice, Mr. Justice HOBART.

"Objections of the Council to the Bill entitled, "*An Act for raising a further Sum by Tax, to be applied towards the Exigencies of this State,*" becoming a Law of this State.

"The Council deeply impressed with an Opinion of the Expediency of levying a general Tax, regret the Necessity imposed on them by their Duty of objecting to this Bill, and the more so, as only one single Clause in it appears to them Exceptionable.

"The said Bill after imposing a general and equal Tax, of a Penny Half-Penny in the Pound, upon all personal Property within this State, proceeds as follows.

"WHEREAS many Persons in this State, taking Advantage of the Necessities of their Country, have in prosecuting their private Gain, amassed large Sums of Money, to the great Prejudice of the Public, and ought therefore to pay an extraordinary Tax; and it will be impossible for the Assessors with any Degree of Certainty, to ascertain the Profits made by such Persons in Manner aforesaid;

"Be it therefore enacted by the Authority aforesaid, That the Assessors shall, and are hereby required to assess all such Persons respectively, whether fixed Residents of this State, or residing therein occasionally, for the Purpose of any Trade, Commerce or Traffic, for their Faculty, or the Means that have been used by them respectively, for enriching themselves at such Rates respectively, over and above the Assessment hereby required on their real and personal Estates respectively, as they the Assessors, shall in their Judgment think proper, which Assessment last aforesaid, shall be included in the personal Tax Lists, and shall in all Things in and previous to the Levy thereof, be subject to the Regulations herein above prescribed, respecting the personal Tax Lists."

The Council object to this Clause as being in their Opinion, inconsistent with the Spirit of the Constitution.

"1st. Because an equal Right to Life, Liberty and Property, is a fundamental Principle in all free Societies and States, and is intended to be secured to the People of this State, by the Constitution thereof, and therefore no Member of this State, can constitutionally or justly be constrained to contribute more to the Support thereof, than in like Proportion with the other Citizens, according to their respective Estates and Abilities.

"But if the Council should admit (which they do not) that this Principle is False, and that unequal Taxation is justifiable, yet they are of Opinion, that whenever the Legislature imposes a Tax on a Man for his Faculty or Means of acquiring Property, they are supposed to mean only those Faculties or Means which are lawful, because to tax a Faculty is to tolerate it. Vice not being in its Nature a subject of Taxation, and yet it appears on the Face of this Bill, that the Faculty thereby taxed, is the Faculty of taking Advantage of the Distresses of the Country, and amassing large Sums of Money to the Prejudice of the Public. With equal Propriety might the like extraordinary Tax have been imposed on the Faculties of making Money by Gaming, keeping disorderly Houses, false Swearing, Lying and Slandering, all which Vices like these mentioned in the Bill, are injurious to the Common Weal, and like them ought to be punished, not taxed.

"2d. Because as the Bill assigns the Demerits of the several Persons described in the Clause under Consideration, as the Reason for their being subjected to this extraordinary Assessment, it would seem as if the Legislature intended thereby to punish them. The Clause viewed in this Light, is still Exceptionable, because, however proper it may be, to punish these Practices, yet the Manner of doing it prescribed in this Clause, is in the Opinion of the Council unconstitutional.

"By the Principles of the Constitution, of this and every other free State, except in Cases of Attainder for high and dangerous Crimes and Misdemeanors, no Citizen is liable

to be punished by the State; but such as have violated the Laws of the State, and every Citizen is to be considered as Innocent by the State, until he hath broken its Laws. Offences only against the moral Law or Laws of God, being cognizable by him alone. Supposing therefore, that the Persons aimed at in the Bill, have acquired Riches immorally, yet if they have acquired them in a Manner, which the Legislature has not thought proper to prohibit, they are not obnoxious to human Punishment, however liable they may be to divine Vengeance. But if on the other Hand, these Persons have acquired Riches, in a Manner prohibited by the Law of the Land, they ought to be tried and punished in the Way directed by these Laws, and not subjected to double Punishment, first, in the usual Course of Justice, and secondly by this extraordinary Tax, imposed by an Act made subsequent to the Commission of the Offence, and that too without any other Trial than what the Assessors, who are not authorised by the Constitution to distribute Justice, may think proper to give them.

" 3d. Because the Legislature are not authorised by the Constitution, to delegate the Right of determining at Discretion, how much Money shall be levied on all or Part of the People to any Body of Men whatever, much less to the Assessors. It being the proper Business of the Legislature, to ascertain and declare the Rate at which the People shall be taxed, and of the Assessors, to determine only the Value or Amount of the Property of each Individual, and by comparing that Amount with the Rate; to compute, not appoint how much each Person is to pay.—And yet the Bill refers it entirely to the Discretion and Judgment of the Assessors, to determine how much or how little the Persons described in it, shall be taxed for their Faculties or Means of getting Money. Nor is the Reason assigned for this in the Bill of any Weight, viz. "*That it is impossible for the Assessors with any Degree of Certainty, to ascertain the Profits made by such Persons.*" The Assessors cannot with a greater Degree of Certainty, ascertain the Amount of many personal Estates in the Country, and yet the Bill obliges them to assess these Estates a Penny Half-Penny in every Pound they consist of.

" The Council further object to the above recited Clause in the said Bill, as being in their Opinion, inconsistent with the public Good.

" 1st. Because, should the Legislature exercise a Power, and go into the Practice of taxing People, not according to the Value and Amount of their respective Estates, but the particular Manner in which they were acquired, all Security for Property will be at an End. No Man being able to foresee, whether the particular Manner in which he legally acquires his Estate, will at a future Day be disapproved by the Legislature, and destroyed by extraordinary Assessments. So that should this Principle and Practice obtain, the People would hold their Estates, not by the Constitution and Law of the State but the mere Will of the Legislature, and Mercy of the Assessors.

" It is an undoubted Right of a Freeman (whatever ill Use he may make of it) that where no Prices are fixed by Law, he is at Liberty to ask what Price he Pleases for his Lands or Goods, and he is amenable only to God and his Conscience, if he asks too much. To subject him therefore, to an extraordinary Tax, limited only by the Discretion of an Assessor, merely because he happened to dispose of his Property, at a Price which the Legislature think (but did not declare) to be unreasonable, would in the Opinion of this Council, be an Invasion of the Rights of the People and a dangerous Precedent.

" 2d. Because the Description of the Persons subjected to this extraordinary Tax is uncertain, as that the Assessors will have scarce any other Rule than mere Opinion or Conjecture to direct them. A Circumstance which is penal Laws, (which are always to be construed strictly) should be carefully avoided. The Bill declares, that many Persons in this State, *taking advantage* of the Necessities of their Country *have*, in prosecuting their private Gain, amassed *large Sums* of Money to the *great Prejudice* of the Public, and then enacts that the Assessors shall assess *all such Persons* at such Rates, over and above the general Assessment, as they the Assessors shall in their Judgment think proper. This Description gives Birth to the following Doubts.

" 1st. Whether it includes all Persons in the State, who have ever amassed large Sums of Money in this Way, or only such as have done so within late Years, and if the latter within what Time.

" 2d. What is to be deemed a taking Advantage of the Necessities of the Country because all the People in this State, who had any Thing to sell, have so far taken Advantage of the Necessities of those who were obliged to buy, as that no Commodity can now be purchased for less than five Times as much as before the War.

" 3d. How many Hundred or Thousand Pounds are the Assessors to deem a *large Sum* of Money, those only who have made *large Sums* being subject to extraordinary Tax.

" 4th.

"4th. What Quantum or Species of Prejudice to the Public, comes within the Description of the Words *great Prejudice* to the Public, for the Bill limits the Assessment of those only, who have done *great Prejudice* to the Public."

It is to be observed, that the Description in the Preamble is adopted by the enacting Clause, and is therefore to be considered as Part of it.

"5th. Because every Man whom the Assessors shall judge to come within the above Description, will be most essentially affected by it. He will be held up to his Fellow Citizens as in a certain Degree infamous, and the whole or great Part of his Estate may be taken from him. Wherefore in the Opinion of this Council, no Freeman of this State ought to be condemned to such extensive Evils, without having been previously found to deserve them on a fair and solemn Trial, a Trial which every Assessor (not being obliged to give) may not be disposed to grant, or indeed be competent to hold. Besides, the Bill does not direct the Assessors to give the Party any Trial at all, but leaves them to make up their Judgments, on any Evidence or Principles they may think proper. Hence the Assessors will have an Opportunity of subjecting the most innocent Persons in the State to Destruction, in every Case in which they may be inclined thereto, by Caprice or Malice.

"6th. Because, altho' great Injuries may be done to innocent Persons by Assessors under this Bill, yet no appeal lies, by the Bill, from their Judgments. The Supervisors may perhaps direct them to reconsider it, but they may still, if they please, abide by it, and in that Case the Supervisors must see it executed.

"7th. Because this unprecedented extraordinary Tax will induce all who may fear the Operation of it, to remove with their Property to some other State, which will give them greater Security for the Enjoyment of it, whereby many Citizens and large Sums of Money, which in the ordinary constitutional Way of Taxation, would yield a very considerable Revenue to the State, will be lost, nor will Strangers be easily persuaded to settle in a State whose Citizens find it necessary to remove from it.

"8th. Because, altho' the Practices of many Persons concerned in Trade, and in buying and selling, may be injurious to the public Weal, yet in the Opinion of this Council, these Practices call rather for general and prudent Regulations, to prevent the Evil in future, than for such indiscriminate and unconstitutional Modes of Punishment, by *ex post Facto* Laws.

GEO. CLINTON."

"Ordered, That the Bill entitled, "*An Act for raising a further Sum by Tax, to be applied towards the Exigencies of this State,*" with the Objections thereto, signed by his Excellency the Governor, be delivered to the Assembly by the Chief Justice.

By Order of the Council,

STEPHEN LUSH, Clerk."

The House then proceeded to the Re-consideration of the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Exigencies of this State,*"

The said Bill and the Objections of the Honorable the Council of Revision thereto, were read by Paragraphs.—Debates arose thereon, and the Question being put, Whether the House, notwithstanding the said Objections, do agree to pass the said Bill, it was carried in the *Negative* by more than one third of the Members present, in Manner following, viz.

For the Affirmative.

Mr. Younglove,	Mr. Snyder,	Mr. Lawrence,	Mr. T. Crane,	Mr. Dunscomb,	Mr. Mills,
Mr. Dodge,	Mr. Schoonmaker,	Mr. Smith,	Mr. Gelston,	Mr. Baker,	Mr. Benedict,
Mr. J. Clark,	Mr. Wickes,	Mr. Harpur,	Mr. L'Hommedieu,	Mr. J. Coe,	Mr. Brasher,
Mr. Van Houten,	Mr. E. Clark,	Mr. Tozer,	Mr. Miller,	Mr. Honeywell,	

For the Negative.

Mr. Bancker,	Mr. Newkerk,	Mr. Tayler,	Mr. Hoffman,	Mr. Swartwout,
Mr. K. Van Rensselaer,	Mr. Teller,	Mr. Benfon,	Mr. Brinckerhoff,	Mr. Boerum,
Mr. Van Horne,	Mr. Tredwell,	Mr. Lott,	Mr. Lockwood,	

Mr. L'Hommedieu moved for Leave to bring in a Bill, for raising a further Sum by Tax, to be applied towards defraying the public Expences of the State. Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Younglove,	Mr. Miller,	Mr. Lott,	Mr. Harpur,	Mr. Benfon,
Mr. Dodge,	Mr. Van Houten,	Mr. Gelston,	Mr. Mills,	Mr. Lawrence,
Mr. J. Clark,	Mr. Tredwell,	Mr. Dunscomb,	Mr. Benedict,	Mr. Hoffman,
Mr. Bancker,	Mr. L'Hommedieu,	Mr. Lockwood,	Mr. T. Crane,	Mr. Boerum,

For the Negative.

Mr. Tozer,	Mr. Teller,	Mr. Swartwout,	Mr. Baker,
Mr. K. Van Rensselaer,	Mr. Newkerk,	Mr. J. Coe,	Mr. Schoonmaker,
Mr. Snyder,	Mr. Tayler,	Mr. Brasher,	Mr. Smith,
Mr. Van Horne,	Mr. Brinckerhoff,	Mr. Honeywell,	Mr. Wickes,

Ordered,

Ordered, That Leave be given accordingly.

Mr. L'Hommedieu, according to Leave brought in a Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards defraying the public Expences of this State,*" which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. November 6, 1778.

THE House met pursuant to Adjournment.

A Petition of *James Durkee*, Junior, and twenty-one other Persons, Inhabitants of the County of *Charlotte*, complaining of several Matters in the said Petition mentioned, was read.

Ordered, That the said Petition be committed to the Members of the County of *Albany*.

The House proceeded to take into Consideration the Resolutions of the Honorable the Senate of Yesterday, proposing an Adjournment of the Legislature, to this Place, or such other Place, as the Person administering the Government of this State for the Time being, shall by his Proclamation appoint. Thereupon,

Resolved, That this House do concur with the Honorable the Senate, in their Resolution of Yesterday, proposing an Adjournment of the Legislature to this Place, or such other Place, as the Person administering the Government of this State for the Time being, shall appoint.

Resolved, That this House are equally anxious with the Honorable the Senate, that "a Bill for Forfeitures and Confiscations," should be passed into a Law, at this present Meeting of the Legislature.

A Motion was then made for the following Resolution, viz.

Resolved, That this House do conceive that such Bill is not so necessary to be passed at this Time, as that it cannot, consistent with the public Good, be deferred until the next Meeting of the Legislature. Debates arose thereon, and the Question being put, it was carried in the Affirmative by every Member present, except Mr. *Harpur*, Mr. *Smith* and Mr. *Younglove*, who voted in the Negative. Thereupon,

Resolved, That this House do conceive, that such Bill is not so necessary to be passed at this Time, as that it cannot, consistent with the public Good, be deferred until the next Meeting of the Legislature.

A Motion was then made for the following Resolution, viz.

"Resolved, That this House cannot without the greatest Inconvenience to most of the Members, continue sitting longer than this Day." Debates arose thereon, and the Question being put, it was carried in the Affirmative by every Member present, except Mr. *Tredwell*, Mr. *L'Hommedieu*, Mr. *Younglove*, Mr. *Harpur*, Mr. *Smith* and Mr. *Wickes*, who voted in the Negative. Thereupon,

Resolved, That this House cannot, without the greatest Inconvenience to most of the Members, continue sitting longer than this Day.

A Motion was then made for the following Resolution, viz.

"Resolved, (If the Honorable the Senate shall concur herein,) That the Legislature will this Day, adjourn until the second Tuesday in *January* next. Debates arose thereon, and the Question being put, it was carried in the Affirmative by every Member present, except Mr. *Harpur*, Mr. *Wickes*, Mr. *Smith*, Mr. *Younglove* and Mr. *L'Hommedieu*, who voted in the Negative. Thereupon,

Resolved, (If the Honorable the Senate shall concur herein,) That the Legislature will this Day, adjourn until the second Tuesday in *January* next.

Ordered, That Mr. *Taylor* and Mr. *Hoffman*, carry a Copy of the above Resolution to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. *Roosevelt*, was read, and is in the Words following, viz.

"State of *New-York*.

In Senate, November 6, 1778.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of this Day, to adjourn the Legislature to meet (at this or such other Place, as the Person administering the Government of this State for the Time being, shall by his Proclamation for the Purpose to be issued, assign and appoint) on the second Tuesday in *January* next, and that this Senate will immediately adjourn accordingly."

Ordered, That Mr. *Benson* and Mr. *Hoffman*, wait on his Excellency the Governor, and inform him that this House will adjourn immediately, to meet on the second Tuesday in *January* next, unless his Excellency has Business of immediate Importance to lay before them.

Mr.

Mr. Benson reported, That Mr. Hoffman and himself, had waited on his Excellency the Governor, who was pleased to say he had no new Matters to lay before the Legislature.

Then the House adjourned until the second Tuesday in January next, to meet at this, or such other Place, as the Person administering the Government of this State for the Time being, shall by his Proclamation appoint.

[The following Resolutions, being the Message from the Senate to the Assembly, mentioned in the 37th Page, having been received by the Printer after that Sheet was struck off, has reduced him to the Necessity of Printing it on this Sheet, and it is to be read in the Blank, left for that Purpose, in the aforesaid Page.]

“ In SENATE, November 2, 1778.

“ Resolved, That this Senate do not concur with the Honorable the House of Assembly, in their Resolution of the 31st ult. for granting Lands to such of the United States as have no unappropriated Lands to satisfy their Quota's of the Bounty to the Troops.

“ Whereas the Honorable the Congress of the United States of North-America, have resolved, That Lands should be granted to the Troops of the said States, enlisted to serve during the present War with Great-Britain, as a Bounty; and several of the said States having no unappropriated Lands to satisfy their Quotas of the said Bounty;

“ Resolved, if the Honorable the House of Assembly concur herein, That the Delegates from this State in Congress, be authorized, if they shall judge it expedient, to pledge the Faith of this State, that the Legislature of this State will grant to the Officers and Soldiers entitled to Bounty of Lands, and belonging to such States as have no unappropriated Lands, the Proportion of the said Bounty, according to the Quantity of unappropriated Lands in this State, compared with the Quantity of unappropriated Lands in the other States; or will provide the Bounty that may be due to the Soldiers belonging to the State of New-Jersey; the said States or State respectively, defraying the Expence of locating and surveying the said Lands; *Provided always*, That nothing in this Resolution contained, shall be construed to exclude from the Territory, or exempt from the Government and Jurisdiction of this State, any of the Lands so to be granted by this State as aforesaid, nor to subject this State to provide for a greater Number of the Soldiery than will be it's Proportion including those of the five Battalions of this State; except in Case it be resolved, that the Soldiery of New-Jersey, shall take their Allotments within this State; *Provided also*, That no Alienations of the foregoing Lands shall be made contrary to the true Intent and Meaning of the Resolution of the Congress, respecting such Lands, as contained in the Terms and Establishment for enlisting the present Continental Army.”

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BY Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.  
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POUGHKEEPSIE, in the County of Dutchess, January 28, 1779.

THE Senate and Assembly having on the sixth Day of November last, by mutual Consent, adjourned until the second Tuesday in this Instant Month of January, and then to meet at this Place, several of the Members accordingly attended on that Day, but a sufficient Number to proceed on Business not appearing, the House adjourned from Day to Day, until this Day, when a Majority of the House appearing, Mr. Speaker took the Chair.

Matthew Rea, Esq; one of the Representatives for Ulster County, James Gordon, Esq; one of the Representatives for Albany County; Andrew Morehouse, Esq; one of the Representatives for Dutchess County, and Peter Ogilvie, Esq; one of the Representatives for Orange County, appeared, and having severally taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took their Seats.

Ordered, That Mr. Hoffman and Mr. Honeywell, wait on his Excellency the Governor, and inform him that this House is met, ready to proceed on Business.

Ordered, That Mr. Tredwell and Mr. Whiting, wait on the Honorable the Senate, and inform them, that this House is met, ready to proceed on Business.

A Petition from the Inhabitants of Cherry-Valley, in the County of Tryon, setting forth their Distresses, in Consequence of the Destruction of that Settlement by the Enemy, and praying Relief, was read.

A Petition from the distressed Inhabitants of Springfield, in the said County, praying Relief, was read.

Ordered, That the said Petitions be referred to a Committee, and Mr. Van Horne, Mr. Schoonmaker and Mr. Dodge, were appointed a Committee accordingly.

A Message from his Excellency the Governor, by Mr. Benson, his private Secretary, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I take the earliest Opportunity afforded me, of laying before you the Resolutions of Congress, of the 2d Instant, on the Subject of Finance, among other Matters, calling upon the different States for their respective Quota's of Fifteen Millions of Dollars in the present Year, and of Six Millions of Dollars annually, for eighteen Years thereafter, as a Fund for sinking the Loans and Emissions of these United States, to the thirty-first Day of December 1778, inclusive; with their Resolutions of the 5th Instant, fixing the said Quotas—As the Objects of these Resolutions are to prevent the Necessity of further Emissions of Paper Money, to restore the Credit of the Paper Currency, and ultimately to discharge the public Debts, it is of the first Importance, that proper Measures be speedily taken, for effectually carrying them into Execution—You will also herewith receive an Act of Congress, of the 26th of September last, for organizing the public Treasury, among other Resolutions, recommending to the several States to enact Laws for the taking of such Persons, and also to seize the Property of Persons, who, being indebted to the United States, shall neglect or refuse to pay the same—And an Act of the first Instant, recommending to the several States, to adopt such Measures, as may be effectual for detecting Persons employed in making counterfeit Bills, or passing the same, knowing them to be such.

GEO. CLINTON."

Poughkeepsie, January 28, 1779.

Copies of the several Papers, referred to in his Excellency's said Message, were also read.

Ordered, That his Excellency's Message, together with the several Papers therein referred to, be committed to a Committee of the whole House.

A Letter from Alexander Webster and Ebenezer Russell, Esquires, two of the Justices of the Peace, for the County of Charlotte, to the Speaker, inclosing several Depositions, relative to the controverted Election between Elishamer Tozer and John Rowan, Esquires, was read.

Ordered, That the said Letter and Depositions be referred to the Committee of Privileges and Elections.

The Bill entitled, "An Act for raising a further Sum by Tax, to be applied towards defraying the public Expences of this State," was read the second Time, and committed to a Committee of the whole House.

Mr. L'Hommedieu, from the Committee appointed for that Purpose, brought in a Bill entitled, "An Act to confiscate and make Sale of all real and personal Property of the Enemies of this State," which was read the first Time, and ordered a second Reading.

Mr. Benson moved for Leave to bring in "a Bill for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State."

Ordered, That Leave be given accordingly.

Mr.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Petition of *John Chamberlain* and *Brinton Paine*, praying, for the Reasons therein contained, to be relieved against a Bond, in which they were bound to the State as Sureties for *Cornelius Atherton*, was read.

Ordered, That it be committed to a Committee, and Mr. *Duncomb*, Mr. *J. Coe* and Mr. *Hopkins*, were appointed a Committee accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY, 9 o'Clock, A. M. January 29, 1779.

THE House met pursuant to Adjournment.

Henry Williams, Esq; one of the Representatives for *King's County*, appeared, and having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took his Seat.

A Letter from the Honorable *Philip Schuyler*, Esq; one of the Delegates from this State to Congress, directed to the Speaker, was read, informing, that as he had received Orders from his Excellency General WASHINGTON, to direct the Preparations for a very important Military Enterprise, it will not be in his Power to repair to Congress, and therefore it is his Wish, if the House conceived it necessary to strengthen the Delegation, that another Gentleman should be appointed in his Stead.

The Bill entitled, "*An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State*," was read a second Time, and committed to a Committee of the whole House.

The House then resolved itself into a Committee of the whole House, upon the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards defraying the public Expences of this State*," and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *J. Clark*, from the said Committee, reported, That the Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read, and agreed to by the House. Thereupon,

Ordered, That the said Committee have Leave to sit again.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"It affords me particular Pleasure, to have it in my Power to transmit you Copies of the Treaties of Amity and Commerce, and of Alliance eventual and defensive, between his Most Christian Majesty and these United States. As they are evidently founded on Principles equally beneficial to both Countries, and evince the Justice as well as good Policy of our great and generous Ally, they cannot fail of affording your Constituents the highest Satisfaction.

"With this Message will also be delivered to you, merely for your Information, several Acts of Congress, of the 26th August, 1776, and 25th September, 1778, and of the 24th November, 1778; and also a Copy of a printed Pamphlet, entitled, "*Extracts from the Journal of the House of Representatives of the State of Vermont*," with Copies of several other Papers respecting the disaffected Subjects in the North-Eastern Parts of this State.

Poughkeepsie, January 28, 1779.

GEO. CLINTON."

Copies of the several Acts of Congress, and of the other Papers, referred to in his Excellency's said Message, were also read.

Ordered, That his Excellency's Message, together with the several Papers therein referred to, be committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. January 30, 1779.

THE House met, pursuant to Adjournment.

Resolved, That *Daniel Lawrence*, be and he is hereby appointed Doorkeeper to this House.

The House then resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State*," and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Rea* from the said Committee, reported, that the Committee had gone through the said Bill without Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the Bill be engrossed.

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A Petition of *John Younglove* and *George Palmer*, two of the Commissioners of Sequestration, for the County of *Albany*, praying an Addition to their Pay, for their Services as Commissioners, was read.

Ordered, That the same be referred to a Committee, and Mr. *Gansevoort*, Mr. *Hoffman* and Mr. *Gordon*, were appointed a Committee accordingly.

A Petition of *James Hammond*, Esquire, and one Hundred and sixty-nine others, of the Inhabitants of *Philips's Manor*, was read.

Ordered, That the same be taken into Consideration by this House, as soon as a proper Occasion shall offer for that Purpose.

Resolved, That this House will on Monday next, resolve itself into a Committee of the whole House, on his Excellency's Messages, of the 28th and 29th Instant.

Then the House adjourned until nine o'Clock on Monday next.

M O N D A Y, 9 o'Clock, A. M. February 1, 1779.

THE House met pursuant to Adjournment, and adjourned until nine o'Clock To Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. February 2, 1778.

THE House met pursuant to Adjournment.

John Berrien, Esquire, one of the Representatives for the City and County of *New York*, and *Benjamin Coe*, Esquire, one of the Representatives for *Queen's County*, appeared and having respectively taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for that Purpose, took their Seats.

A Petition of *Jacob Vanderbeyden*, dated at *Albany*, the twenty-eighth of *January*, was read, setting forth that two Hundred and forty-five Barrels of Flour, purchased by him for the Use of the French Fleet, was lately seized at *Claverack*, by *Jacob Cuyler*, Esquire, Deputy Commissary-General of Purchases, for the American Army in the Northern Department, in Pursuance of a Law of this State, and praying a superseas of the said Seizure.

Ordered, That the said Petition be referred to a Committee, and that Mr. *Schoonmaker*, Mr. *Brasfer* and Mr. *Miller*, be a Committee for that Purpose.

A Petition of *Joseph M'Cracken*, *Edward Savage*, and three other Persons, dated the sixteenth Day of *January*, 1779, and praying that the Monies therein mentioned, might be appropriated to re-building the Meeting-House at *White-Creek*, in the County of *Charlotte*, was read.

Ordered, That the same be referred to a Committee, and Mr. *Baker*, Mr. *Lott* and Mr. *Younglove*, were appointed a Committee accordingly.

A Message from his Excellency the Governor to the Legislature, dated the twentieth Day of *January*, and transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I herewith submit to your Consideration, Copies of three Letters dated the 11th of *November*, from a Committee of Congress, appointed to superintend the Commissary's and Quarter-Master's Departments, requesting the Aid of the Legislature in correcting Abuses committed in those Departments, and for punishing the Offenders; and for enabling Congress to acquire a Knowledge of the Resources of this State, with Respect to Supplies for the Army; and also a Letter of the 20th Instant, from Colonel *Udny Hay*, Deputy Quarter-Master-General, at *Fish-Kill*, representing the Difficulties he experiences in the Execution of his Office, and the consequent Distresses of the Soldiery. Permit me to add, Gentlemen, That from the best Information I have been able to obtain, the Division of the Army under the Command of Major-General *M'Dougal*, (on which our present Security against the Incursions of the Enemy depends) subsists upon a precarious Supply of Provisions daily procured for them, and there is the greatest Reason to fear they will be obliged to abandon their present Posts, and retire into the interior Parts of the Country. The present Difficulties under which the Army labours (you will observe) is imputed, by the Quarter-Master-General, to the Want of the necessary Number of Teams, for the Transportation of Provision to the Camp, and for other Services, owing in a great Measure, to Defects in the Law for regulating Impresses. I would therefore recommend the making of such Amendments in that Law, for enlarging the Powers vested in the ordinary Magistrate, as to render it more adequate to the Purposes for which it was intended.

Poughkeepsie, January 28, 1779.

G E O. C L I N T O N."

The several Papers, referred to in his Excellency's said Message, were also read.

Ordered, That his Excellency's said Message, and the several Papers accompanying the same, be committed to a Committee of the whole House.

Resolved, That this House will resolve itself into a Committee of the whole House on the said Message, at the same Time with the other Messages received from his Excellency.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on his Excellency the Governor's several Messages of the twenty-eighth, and his Message of the twenty-ninth Days of January last; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Lott, from the said Committee, reported, That he was directed to report to the House, that the Committee had agreed to the following Resolutions, *viz.*

Resolved, That it is the Opinion of this Committee, that the following Bills be prepared and brought in, *viz.*

A Bill for the Recovery of Debts due to the United States.

A Bill for paying to Persons, wounded or disabled in the Service of the United States, their respective Pensions and Allowances.

A Bill for preventing Monopoly and Engrossing.

A Bill to prevent the distilling of Spirits from Grain or Cyder.

A Bill to prevent Abuses in the Departments of Commissary, Quarter-Master and Forage-Master, within this State.

A Bill to amend an Act, entitled, "*An Act to regulate Impresses of Forage and Carriages, and for billeting Troops within this State.*"

Resolved, That it is the Opinion of this Committee, That a Committee be appointed to revise the Law for punishing Persons who shall counterfeit the Bills of Credit issued by Congress, or either of the United States; or who shall pass the same in Payment, knowing them to be Counterfeit, and report such Amendments as they may think necessary.

Resolved, That it is the Opinion of this Committee, That a Committee be appointed to join with a Committee of the Honorable the Senate, to prepare and report a Draft of a Letter from the Legislature, to the Delegates of this State in Congress, relative to the Disorders prevailing in the North-Eastern Parts of this State.

Resolved, That it is the Opinion of this Committee, That the special Occasion, for which the Honorable John Jay, Esq; Chief Justice of this State, was elected a Delegate, from this State in Congress, will very probably continue after the first Day of March next, and therefore that he ought to be farther continued in Office as a Delegate, until thirty Days after the next Meeting of the Legislature.

Resolved, That it is the Opinion of this Committee, That the Resolutions of Congress of the twenty-sixth Day of August, 1776, and twenty-fifth Day of September last, referred to in his Excellency's Message, should be forthwith printed in the public News-Papers within this State, for the Information of such Persons, as may be entitled to the Allowances thereby granted. Which Report he read in his Place and delivered in at the Table, where the same was again read, and agreed to by the House. Thereupon,

Ordered, That a Bill be brought in for the Recovery of Debts due to the United States, and that Mr. Benson, Mr. Van Rensselaer and Mr. Van Horne, be a Committee to prepare and bring in the same.

Ordered, That a Bill be brought in for paying to Persons wounded or disabled in the Service of the United States, their respective Pensions and Allowances; and that Mr. Harpur, Mr. Wickes and Mr. K. Van Rensselaer, prepare and bring in the same.

Ordered, That a Bill be brought in to prevent the distilling of Spirits from Grain or Cyder, within this State; and that Mr. Gansevaort, Mr. Gelfson and Mr. Berrien, prepare and bring in the same.

Ordered, That a Bill be brought in to prevent Monopoly and engrossing, and that Mr. Williams, Mr. Lott and Mr. J. Clark, prepare and bring in the same.

Ordered, That a Bill be brought in to prevent Abuses in the Departments of Commissary, Quarter-Master and Forage-Master, within this State; and that Mr. L'Houmedieu, Mr. Dodge and Mr. Rea, prepare and bring in the same.

Ordered, That a Bill be brought in to amend an Act, entitled, "*An Act to regulate Impresses of Forage and Carriages, and for billeting Troops within this State;*" and that Mr. Hoffman, Mr. Brashear and Mr. Miller, prepare and bring in the same.

Ordered, That a Committee be appointed to revise the Law for punishing Persons who shall counterfeit the Bills of Credit issued by Congress, or either of the United States, or who shall pass the same in Payment, knowing them to be counterfeit, and to report such Amendments at they may think necessary; and that Mr. Schoonmaker, Mr. Duncomb and Mr. Benson, be a Committee for that Purpose.

Resolved, That a Committee be appointed, to join with a Committee of the Honorable the Senate, to prepare and report a Draft of a Letter from the Legislature to the Delegates of this State in Congress, relative to the Disorders prevailing in the North-Eastern

Parts of this State; and that Mr. *Tredwell*, Mr. *Gordon* and Mr. *L'Hommedieu*, be a Committee for that Purpose.

Ordered, That Mr. *Benedict* and Mr. *Coe*, carry a Copy of this Resolution to the Honorable the Senate for their Concurrence.

Resolved, That the special Occasion for which the Honorable *John Jay*, Esq; Chief Justice of this State, was elected a Delegate from this State in Congress, will, very probably, continue after the first Day of *March* next; and therefore, that he be further continued in Office as a Delegate, until thirty Days after the next Meeting of the Legislature.

Ordered, That Mr. *Benedict* and Mr. *J. Coe*, carry a Copy of this Resolution to the Honorable the Senate for their Concurrence.

Ordered, That the Clerk of this House cause the Resolutions of Congress of the twenty-sixth Day of *August*, 1776, and the twenty-fifth Day of *September*, 1778, referred to in his Excellency's Message, to be forthwith printed in the public News-Papers within this State, for the Information of such Persons as may be entitled to the Allowances thereby granted.

Mr. *Brashear* moved for Leave to bring in a Bill, "to authorise the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States."

Ordered, That Leave be given accordingly.

Mr. *Brashear* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary, dated the thirtieth Day of *January* last, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I submit to your Consideration, a Letter from his Excellency Governor *Greene*, of the State of *Rhode-Island*, &c. dated the seventh Instant, wrote by Direction of the General Assembly of that State, representing the great Scarcity of Bread there, and requesting that the Law of this State, imposing an Embargo, may be so far dispensed with, as to permit the necessary Supply of Flour and Corn, for the immediate Use of their Inhabitants, to be transported by Land from this into that State.

Poughkeepsie, *January* 30, 1779.

GEO. CLINTON."

The Papers referred to in his Excellency's said Message, were also read.

Ordered, That his Excellency's said Message, and the Papers accompanying the same be committed to a Committee of the whole House.

The engrossed Bill, entitled, "An Act for ascertaining the Mode of appointing the Officers of the Continental Forces, raised under the Direction of this State," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Gelston* and Mr. *Berrien*, carry the said Bill to the Honorable the Senate for their Concurrence.

Mr. *Schoonmaker*, from the Committee of Privileges and Elections, to whom was referred the Letter from *Alexander Webster* and *Ebenezer Russell*, Esquires, and the Deposition therein inclosed, reported, That it will be proper for the House to take into Consideration, the said Letter and Depositions, when the House shall hold a Scrutiny between *Elisbamer Tozer* and *John Rowan*, Esquires—That the Parties and several Witnesses are now attending in this Place, and therefore, that the said Scrutiny should be held as soon as the other public Business will permit.

Resolved, That the House concur with their Committee in the said Report.

Resolved, That this House will To-Morrow, hold a Scrutiny in the controverted Election between *Elisbamer Tozer* and *John Rowan*, Esquires. And,

Ordered, That the Clerk serve the Parties with Copies of the above Resolution.

Resolved, That a Committee be appointed (to join with a Committee of the Honorable Senate for the like Purpose) to devise Ways and Means to procure a further Supply of Flour, for the Use of the Army; and that Mr. *Schoonmaker*, Mr. *Dodge* and Mr. *R. V. Rensselaer*, be a Committee for that Purpose.

Ordered, That Mr. *Benedict* and Mr. *J. Coe*, carry a Copy of this Resolution to the Honorable the Senate, for their Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. *February* 3, 1779.

THE House met pursuant to Adjournment.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary, was received and read, and is in the Words following, viz.

"Gentlemen

"Gentlemen of the Legislature,

"In Addition to the Papers, accompanying my Message of the 28th Ult. respecting Finance, I now transmit to you several Acts of Congress on the same Subject, which I have since received.

GEO. CLINTON."

Poughkeepsie, February 3, 1779.

The Acts of Congress relative to Finance, referred to in his Excellency's said Message, were also read.

Resolved, That his Excellency's said Message and the Acts of Congress, accompanying the same, be committed to a Committee of the whole House.

The Order of the Day being read, the House proceeded to hold a Scrutiny in the controverted Election between *Elisbamer Tozer*, Esq; a sitting Member for *Charlotte County*, and *John Rowan*, Esq; and the Allegations of the Parties and the Affidavits and Proofs by them produced, were heard, and after some Time spent thereon;

Resolved, That there is not sufficient Evidence before this House, whereon to determine the controverted Election between the said Parties.

Resolved, That the said Parties have further Day given until the first Day of *March* next, That the said Parties then appear at the Bar of this House, with farther Evidence to support their respective Objections to the Votes given in Favour of the other; that the Parties be permitted to exchange new Lists at any Time, on or before Friday next, as directed by the Order of this House, of the 28th Day of *October* last; and that the said Parties or their Agents, have Leave to examine Witnesses, relative to the said controverted Election, on Oath, before any one or more Justice or Justices of the Peace for the said County, at such Time as shall by such Justice or Justices, be appointed for that Purpose; and ordered that such Examinations be taken at the House of *John Williams*, Esq; in *New-Perth*.—The said Justice or Justices, giving to the said Parties, Notice of the Time when such Witnesses shall be examined.

Ordered, That the Clerk of this House do serve each of the Parties with a Copy of the above Resolutions and Orders.

Mr. *L'Hommedieu* moved for Leave to bring in "a Bill further to continue the Powers of the Commissioners for detecting and defeating Conspiracies within this State."

Ordered, That Leave be given accordingly.

Mr. *L'Hommedieu* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Gansevoort* moved for Leave to bring in "a Bill to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising thereon, and for the better Regulation of Inns and Taverns within this State."

Ordered, That Leave be given accordingly.

Mr. *Gansevoort* according to Leave, brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Petition of *Jacob Thomas* and *William M'Adam*, was read, setting forth the Purchase of a Quantity of Goods of *Samuel Hake*, which, at the Time of the Purchase, they understood belonged to the said *Samuel Hake* and *John Livingston*, That the Petitioners gave a promissary Note to to the said *Samuel Hake*, for the purchase Money, amounting to Ten Thousand Six Hundred and Seventy odd Pounds; That the said Goods have never been delivered, and have been seized for public Use; and praying Relief in the Premises.

Ordered, That the said Petition be referred to a Committee, and Mr. *L'Hommedieu*, Mr. *Brinckerhoff* and Mr. *Gansevoort*, were appointed a Committee for that Purpose.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. February 4, 1779.

THE House met pursuant to Adjournment.

The Bill entitled, "An Act to authorise the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States," was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising thereon, and for the better Regulation of Inns and Taverns within this State," was read a second Time, and committed to a Committee of the whole House.

Mr. *Ogilvie* moved for Leave to bring in "a Bill, more effectually to ascertain the Damages sustained by the Inhabitants of this State, occasioned by the Depredations of the Enemy, and for the better securing the Property of the said Inhabitants, in the Time of an Invasion."

Ordered, That Leave be given accordingly.

Mr. *Ogilvie* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr.

Mr. *Gansevoort*, from the Committee to whom was referred the Petition of *George Palmer* and *John Younglove*, Esquires, reported the following Resolution, viz,

"Resolved, That *George Palmer* and *John Younglove*, Esquires, have been amply rewarded for the Services they have rendered the State, as Commissioners of Sequestration, for the Northern Department of the County of *Albany*, and therefore that no additional Pay be granted to them." Thereupon,

Resolved, That this House do agree with their Committee in the said Report,

Mr. *L'Honneditu*, from the Committee to whom the Petition of *John Beebe*, *Philip Frisbe* and others, on Behalf of themselves and others, Inhabitants of *King's District*, in the County of *Albany*, (in *October* last) was referred, reported, that the said Committee are of Opinion, That in the present Situation of public Affairs, a full and adequate Enquiry into the subject Matter of the said Petition cannot be made, or Relief given to the said Petitioners; and therefore report the following Resolution, viz.

"Resolved, That this House will take into Consideration the said Petition, as soon as the other public Business will permit."

Resolved, That the House do agree with their Committee in the said Report.

A Petition of *Silas Child*, *Ichabod Parker* and thirty other Persons, Inhabitants of *Granville*, in *Charlotte County*, dated the tenth Day of *January* last, was read, setting forth, that they are settled on Lands of Persons who have joined the Enemy, and praying that such of them as occupy Lands, which may be adjudged confiscated to the State, may have a Preference to Purchase the Land they respectively occupy, at reasonable Prices.

Ordered, That the said Petition be taken into Consideration by this House, as soon as a proper Occasion shall offer, for that Purpose.

Mr. *Schoonmaker*, from the Committee of Privileges and Elections, to whom was referred the Petition of *Jacob Concklin* and seven other Persons, Inhabitants of the County of *Ulster*, presented to this House on the fifth Day of *November* last, reported, that pursuant to an Order of this House, the said Committee had during the Recess of the Legislature enquired into the Matters set forth in the said Petition.---That upon such Enquiry, it appeared to the said Committee, that two of the Persons who voted for Captain *Bevier*, intended to have voted for Adjutant *Bevier*.---That Captain *Andries Bevier* was present at such Enquiry, and insisted upon his Right to a Seat in this House.---That, in as much as the Petitioners pray, that if the said *Andries Bevier*, should notwithstanding, Claim his Seat in this House, that the Petitioners might have the Benefit of a Scrutiny in Behalf of Colonel *Thomas Palmer*: The Committee are therefore of Opinion, that a Scrutiny should be granted in the controverted Election, between the said *Andries Bevier* and *Thomas Palmer*; which Report he read in his Place, and delivered in at the Table, where the same was again read; Thereupon,

Resolved, That a Scrutiny be allowed in the said controverted Election, between *Andries Bevier* and *Thomas Palmer*, Esquires, before this House, at the Bar of the House, on the second Tuesday in *March* next, if the House shall be then sitting; but if the House should be then adjourned, then on the second Day of the next Meeting of this House after the said second Tuesday in *March*.

Ordered, That the Petitioners, *Jacob Concklin* and others, or one of them, or their Agent deliver to the said *Andries Bevier*, or his Agent, on or before the 25th Day of *February* Instant, a List of the Persons, intended to be objected to, who voted for the said *Andries Bevier*, mentioning in the said List the several Heads of Objections, and distinguishing the same against the Names of the Voters excepted to; and that *Andries Bevier*, Esquire or his Agent, deliver a like List to one of the Petitioners or their Agent, on or before the said twenty-fifth Day of *February* Instant.

Ordered, That the Clerk of this House, transmit to the said *Andries Bevier*, Esquire, Copy, and to the said Petitioners, or one of them, another Copy, of the preceding Report, Resolution and Order, by the first convenient Conveyances.

Mr. *Schoonmaker*, from the joint Committee of the Senate and Assembly, appointed to devise Ways and Means to procure a farther Supply of Flour, for the Use of the Army, reported, That by an Act of the Legislature of this State, passed the thirty-first Day of *October* last, for procuring a Supply of Flour, Meal and Wheat, for the Army, all Flour, Meal and Wheat, purchased or which might be purchased, with Intent to be sold again, or to be exchanged or bartered for Goods, Wares or Merchandizes, or to be exported out of this State, and all Wheat, either threshed or in the Straw, of the Crop of the Year 1777, or of any preceding Year, in the Possession of any Person or Persons who have retained the same, is made liable to Seizure for the Use of the Army---That notwithstanding the extraordinary Powers vested by the said Act, in the Commissaries of Purchases, very few Seizures have been made, and a considerable Quantity of Flour and Wheat, subject

to Seizure, still remains in the Hands of the Proprietors.—That if the said Commissaries were to use proper Diligence and Activity, in making Seizures pursuant to the said Act, a large Supply might be procured for the Use of the said Army.

That therefore both Houses ought by joint Resolution, to request his Excellency the Governor, to write circular Letters to the several Commissaries of Purchases, within this State, requiring them to exert themselves in the Execution of the said Act, and forthwith to seize all Flour, Meal and Wheat, by the said Act made liable to Seizure; and also earnestly recommending to the said Commissaries, to deposit Monies in the Hands of the several Millers, within their respective Districts, who can give proper Security for the same, to purchase Wheat upon the Account of the said Commissaries respectively, for the Use of the Army.—And that his Excellency the Governor be also requested, to obtain the Appointment of such and so many diligent honest Persons, as he shall recommend for the Purpose, as Assistant or Deputy Commissaries of Purchases, to be employed in the Execution of the said Act.

Resolved, That the House do agree with their Committee in their said Report.

Ordered, That Mr. *Brashear* and Mr. *Honeywell*, carry a Copy of the above Report and Resolution, to the Honorable the Senate, for their Concurrence.

The Bill entitled, "*An Act further to continue the Powers of the Commissioners, for detecting and defeating Conspiracies, within this State,*" was read a second Time, and committed to a Committee of the whole House.

The House then resolved itself into a Committee of the whole House, on his Excellency the Governor's Messages, of the 30th of *January* last, and of the 3d Instant, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Williams*, from the said Committee reported, that he was directed by the said Committee to report to the House, the following Resolutions, viz.

Resolved, That it is the Opinion of this Committee, that his Excellency the Governor, be requested to write to Governor *Greene*, of the State of *Rhode-Island*, and to *John Brown*, Esquire, President pro Tempore of the Board of War at *Boston*, in Answer to their respective Letters of the seventh of *January* and 15th of *December* last, informing them that the Legislature feel for the Distresses of their Brethren in the neighbouring States, and earnestly wish it was in their Power to relieve them; but that considering the present Quantity of Wheat in the State, and the pressing Necessities of the Army, the Exportation of Flour, cannot, consistent with the common Safety, be permitted, until more competent Supplies of that Article are procured for the Use of the Army.

Resolved, That in the Opinion of this Committee, the Resolutions of Congress, of the 8th of *October* and 19th of *November* last, and of the 2d. 15th, 13th and 14th of *January* last respectively, referred to in his Excellency the Governor's several Messages, of the 30th of *January* last, and 3d Instant, should be forthwith Printed in the public News-Papers, for the Information of the Inhabitants of this State; which Report he read in his Place, and delivered the same in at the Table, where the same was again read. Thereupon,

Resolved, That this House do agree with their Committee in the said Report.

Ordered, That Mr. *Harpur* and Mr. *Wickes*, carry a Copy of the above Report and Resolution, to the Honorable the Senate, for Concurrence.

Copies of three several Resolutions of the Honorable the Senate, of this Day, delivered by *Isaac Stoutenburgh*, Esquire, were read, and are respectively in the Words following, viz.

"*Resolved*, That a Committee be appointed, to join with the Committee of the Honorable the House of Assembly, to prepare and report a Draught of a Letter, from the Legislature to the Delegates of this State in Congress, relative to the Disorders prevailing in the North-Eastern Parts of this State, and that Sir *James Jay*, Mr. *Stoutenburgh* and Mr. *Scott*, be the Committee.

"*Resolved*, That the special Occasion, for which the Honorable *John Jay*, Esq; Chief Justice of this State, was elected a Delegate from this State in Congress, will very probably continue after the first Day of *March* next, and therefore that he be further continued in Office as a Delegate, until thirty Days after the next Meeting of the Legislature.

"*Resolved*, That this Senate do concur with the Honorable the House of Assembly, in their Resolution agreeing with the Report of the joint Committee of the Senate and Assembly, appointed to devise Ways and Means for procuring a Supply of Flour, for the Use of the Army.

Ordered, That Mr. *Tredwell* and Mr. *Brashear*, wait upon his Excellency the Governor, with a Copy of the Report of the joint Committee of Senate and Assembly, appointed to devise Ways and Means, to procure a further Supply of Flour, for the Use of the Army, with a Copy of the Resolution of this House thereon, and also a Copy of the Resolution of Concurrence of the Honorable the Senate thereto.

Resolved, That this House will To-Morrow, resolve itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Expences of this State.*" Thereupon,

Mr. *Brasfer* made a Motion in the Words following, viz. "I move that the Treasurer of this State, be ordered to lay before this House, an Account of all the Monies which have come into his Hands, in Consequence of an Act, passed the 28th Day of *March*, 1778, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State,*" and to inform this House, whether there are any, and what Sum or Sums of Money still out-standing, in the respective Counties of this State, levied in Consequence of the said Act."

Debates arose thereon, and Mr. *Tredwell* moved for the following Amendment, viz. "That the Words "and to inform this House, whether there are any, and what Sum or Sums of Money still out-standing, in the respective Counties of this State, levied in Consequence of the said Act," be obliterated."

Debates arose on the said Amendment proposed by Mr. *Tredwell's* Motion, and it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Tredwell,	Mr. Rea,	Mr. Benedict,	Mr. L'Homedieu,	Mr. Benson,	Mr. Hoffman,
Mr. Berrien,	Mr. Wickes,	Mr. Bell,	Mr. Gordon,	Mr. Honeywell,	Mr. Swartwout,
Mr. Dodge,	Mr. J. Clark,	Mr. Waggoner,	Mr. Boerum,	Mr. Ogilvie,	Mr. Dunscomb,
Mr. Schoonmaker,	Mr. J. Coe,	Mr. Gelston,	Mr. Gansevoort,	Mr. Hopkins,	Mr. Mills,
Mr. Younglove,	Mr. Miller,				

For the Negative.

Mr. Tozer.	Mr. K. Van Rensselaer,	Mr. Lott,	Mr. Harpur,	Mr. Whiting,	Mr. Baker,
Mr. Morehouse,	Mr. Lockwood,	Mr. B. Coe,	Mr. Williams,	Mr. Birdfall,	Mr. Brasfer.
Mr. Brinckerhoff,					

Therefore, *Ordered*, That the Words for that Purpose above mentioned, be obliterated, and the Motion made by Mr. *Brasfer*, was amended accordingly.

The Question being then put on the Motion made by Mr. *Brasfer*, as amended, it was carried in the Affirmative. Thereupon,

Resolved, That the Treasurer of this State be ordered to lay before this House, an Account of all the Monies which have come into his Hands, in Consequence of an Act passed the 28th Day of *March*, 1778, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State.*"

Ordered, That the Clerk of this House, transmit a Copy of the above Resolution to the Treasurer.

A Message was received from the Honorable the Senate, by *Ebenezer Russell*, Esq; together with the Bill, entitled, "*An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State,*" That the Senate have passed the said Bill, with sundry Amendments therewith delivered.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. February 5, 1779.

THE House met pursuant to Adjournment.

A Petition of *James Boroughs*, and sixty-five other Inhabitants of the Township of *Skeensborough*, dated the fourth Day of *January* last, was read, praying that they may have the Privilege to purchase the said Township, which in the Opinion of the Petitioners, *Philip Skeen*, Esq; has forfeited to the People of this State.

Ordered, That the said Petition be taken into Consideration by this House, as soon as a proper Occasion may offer for that Purpose.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Expences of this State.*" After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *J. Clark*, from the said Committee, reported, That he was directed by the said Committee to report to the House, that on reading the said Bill, Mr. *Brinckerhoff* moved that the Question be put, Whether the Monies intended to be raised by Virtue of the said Bill, shall be assessed by Quotas on the respective Counties within this State? Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Morehouse,	Mr. Lott,	Mr. Birdfall,	Mr. Younglove,	Mr. Honeywell,	Mr. Benedict,
Mr. Dodge,	Mr. Wickes,	Mr. Ogilvie,	Mr. J. Coe,	Mr. Hopkins,	Mr. Mills,
Mr. Bancker,	Mr. Harpur,	Mr. Schoonmaker,	Mr. Lockwood,	Mr. Tozer,	Mr. Dunscomb,
Mr. Miller,	Mr. Tredwell,	Mr. Benson,	Mr. Rea,	Mr. Baker,	Mr. Berrien.

For the Affirmative.

Mr. Brinckerhoff,	Mr. Waggoner,	Mr. Gelston,	Mr. B. Coe,	Mr. Whiting,
Mr. Gordon,	Mr. Newkerk,	Mr. L'Homedieu,	Mr. Williams,	Mr. K. Van Rensselaer,
Mr. Gansevoort,	Mr. Bell,	Mr. Swartwout,	Mr. Speaker,	Mr. Hoffman.

That

That on reading that Paragraph of the said Bill, which is in the Words following, *viz.* And be it further enacted by the Authority aforesaid, That the Fees, Salaries, Perquisites, Profits or Earnings, of any Office, Place or Commission, under the United States, or this State, (not being a Military Office or Commission in the Line of the Army of the said United States) or of Traffic, Trade or Profession, shall be deemed Part of the personal Estate of the Person holding, using or exercising such Office, Place, Commission, Traffic, Trade or Profession, and the same shall be assessed, at what in the Judgment of the Assessors shall be deemed the Amount thereof, for the Space of nine Months, next preceding, the Time of making the Assessments, to be made in Pursuance of this Act—so as this Clause shall not be construed to subject a Person holding any Office or Place under this State, to be taxed for any Salary which may be granted to such Person by the Legislature; or the Ministers of the Gospel, to be taxed for their respective Salaries.”

And that the Question being put, Whether the Committee agreed to the said Paragraph? Debates arose thereon, and it passed in the Affirmative, by every Member present, except Mr. *Duncomb*, who voted in the Negative.

That the said Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again—which Report he read in his Place, and delivered in at the Table, where the same was again read,

Ordered, That the said Committee have Leave to sit again.

A Message from his Excellency the Governor to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in Words following, *viz.*

“Gentlemen of the Legislature,

“At a Court of Oyer and Terminer, and General Gaol Delivery, lately held for the County of Orange, *Amy Auger*, late *Amy Jones*, was convicted of the Murder of her male Bastard Child, on an Indictment founded upon a Statute of *JAMES* the first—She was to have been executed agreeable to the Sentence, on the 22d Instant. On the Representation of the Court in her Favour, as a proper Object of Mercy, (a Copy of which will be herewith delivered) I thought it my Duty to suspend the Execution, till the 20th of *March* next, thereby to have it in my Power to submit her Case, to the Legislature for their Direction.

GEO. CLINTON.”

Poughkeepsie, January 30, 1779.

The Recommendation in his Excellency's said Message mentioned, was also read.

Ordered, That the said Message, and the Recommendation attending the same, be committed to a Committee; and that Mr. *Bancker* and Mr. *Wickes*, be a Committee for that Purpose.

A Message from the Honorable the Senate, was received by *Henry Wisner*, Esq; That the Senate have passed a Bill, entitled, “*An Act for pardoning Amy Auger, for the Felony therein mentioned,*” and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Mr. *Benson* moved for Leave to bring in a Bill to revive an Act, entitled, “*An Act to empower the Governor, Lieutenant-Governor, or President of the Senate, administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries, therein specified, to the Uses and Purposes therein directed.*”

Ordered, That Leave be given accordingly.

Mr. *Benson* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Gansevoort*, from the Committee appointed for that Purpose, according to Order, brought in a Bill, entitled, “*An Act to prohibit the distilling of spiritous Liquors from Grain or Cyder,*” which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. February 6, 1779.

THE House met, pursuant to Adjournment.

The Petition of *Charles De Matigny*, to the Senate and Assembly, was read, setting forth, that he was employed by *Chavevier De Borda*, to contract for Flour for the Troops on Board of the French Fleet, and obtained a Permit from his Excellency the Governor, to transport One Thousand Barrels for that Purpose—That, by Reason of the Difficulty of Conveyance, he had only transported Three Hundred Barrels, and that about 700 Barrels yet remain in different Parts of the State—That *Mons. De Valnais*, has requested him to transport to *Boston*, the Flour, which remains to be transported, for the Use of some sick and wounded Men now at *Boston*—That *Jacob Cuyler*, Esq; Deputy Commissary General of Purchases for the Army, has intimated an Intention to cause a Seizure of the said Flour, to be made in Pursuance of a Law of this State, for the Use of the Army—And praying Relief in the Premises.

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The several Certificates attending the said Petition, were also read.

Ordered, That the said Petition, and Certificates attending the same, be referred to the Committee to whom the Petition of *Jacob Van Derbeyden* was committed.

A Petition of the Inhabitants of *Harpersfield*, in the County of *Tryon*, to the Senate and Assembly, was read, setting forth that they have been driven from their Habitations by the Enemy—That they are in very distressed Circumstances, and praying for such Supplies as may be sufficient for their Support, and Maintenance.

Ordered, That the said Petition be referred to the Committee, to whom the other Petitions from *Tryon* County were committed.

Mr. *Younglove*, from the Committee to whom was referred the Petition of *Joseph McCrackin* and others, praying that the Monies therein mentioned, may be appropriated to the rebuilding of a Meeting-House at *New-Perth*, in the County of *Charlotte*, brought in the Report of the said Committee, which he read in his Place, and delivered in at the Table, where the same was again read, and is in the Words following, *viz.* "That as neither the United States, or this State, have made Provision to compensate Individuals for Losses they may have sustained during the War; it would therefore, in the Opinion of the said Committee, be improper to grant the Prayer of the said Petition."

Resolved, That the House do agree with their Committee in the said Report.

Mr. *Gordon*, from the Committee to whom was referred the Petition of *John Rowan*, Esq; of *Charlotte* County, praying a Recompence for the Expence of bringing Witnesses before the Senate, on the Charges exhibited against *John Williams*, Esq; brought in the Report of the said Committee, which he read in his Place, and delivered in at the Table, where the same was again read, and is in the Words following, *viz.* "That in the Opinion of the said Committee, a reasonable Compensation should be made to the several Persons who attended as Witnesses, before the Honorable the Senate, against *John Williams*, Esq; for their Expences, and that the Legislature will provide for the Payment of their Expences, agreeable to such Account, as the Honorable the Senate shall cause to be taken thereof."

Resolved, That the House do agree with their Committee in their said Report.

Ordered, That Mr. *Harpur* and Mr. *Wickes*, carry a Copy of the above Report and Resolution, to the Honorable the Senate.

Mr. *J. Clark*, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act for raising a further Sum by Tax, to be applied towards the public Expences of this State*," reported, that he was directed by the said Committee to report to the House, That in reading the said Bill, when the Committee came to the first Blank in the Bill, where the Poundage to be levied on the value of real Estates, was to be inserted Mr. *Benson* moved, that the said Blank be filled up with the Words, *Two Skillings*, That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, *viz.*

For the Negative.

Mr. Gansevoort,	Mr. Rea,	Mr. Bancker,	Mr. Wickes,	Mr. Miller,	Mr. Mills,
Mr. Hopkins,	Mr. Birdfall,	Mr. K. Van Rensselaer,	Mr. Speaker,	Mr. Baker,	Mr. Lockwood,
Mr. Brinckerhoff,	Mr. Newkerk,	Mr. Waggoner,	Mr. R. Van Rensselaer,	Mr. Tozer,	Mr. Swartwout,
Mr. J. Coe,	Mr. Van Horne,	Mr. Dodge,	Mr. Boerum,	Mr. Benedict,	Mr. Whiting,
Mr. Schoonmaker,	Mr. Bell,	Mr. Hoffman,	Mr. Gordon,		

For the Affirmative.

Mr. Benson,	Mr. Berrien,	Mr. B. Coe,	Mr. Morehouse,	Mr. Duncomb,	Mr. Brashear.
Mr. Jay,	Mr. L'Homedieu,	Mr. Williams,	Mr. Lott,	Mr. Harpur,	

That Mr. *Gansevoort* then moved, that the said Blank be filled up with the Words *One Shilling*.

That Mr. *Brashear* then moved for the following Amendment to Mr. *Gansevoort's* motion, *viz.* "That after the Words *One Shilling*, the Words *Nine Pence* be added; so that the said Blank be filled up with the Words *One Shilling and Nine-Pence*."

That Debates arose thereon, and the Question being put, it was carried in the Negative, in the same Manner as the last preceding Question.

That Mr. *Lott* then moved for the following Amendment to Mr. *Gansevoort's* Motion, *viz.* "That *Six Pence* be inserted after the Words *One Shilling*, so that the said Blank may be filled up with the Words *One Shilling and Six-Pence*."

That Debates arose thereon, and the Question being put, it was carried in the Negative in Manner following, *viz.*

For the Negative.

Mr. Gansevoort,	Mr. Birdfall,	Mr. Bancker,	Mr. Speaker,	Mr. Miller,	Mr. Mills,
Mr. Brinckerhoff,	Mr. Newkerk,	Mr. K. Van Rensselaer,	Mr. R. Van Rensselaer,	Mr. Baker,	Mr. Lockwood,
Mr. J. Coe,	Mr. Van Horne,	Mr. Waggoner,	Mr. Boerum,	Mr. Tozer,	Mr. Swartwout,
Mr. Schoonmaker,	Mr. Bell,	Mr. Hoffman,	Mr. Gordon,	Mr. Benedict,	Mr. Whiting,
Mr. Rea,					

For the Affirmative.

Mr. Hopkins,	Mr. Benson,	Mr. B. Coe,	Mr. Lott,	Mr. Brasher,
Mr. Dodge,	Mr. Jay,	Mr. Williams,	Mr. Duncomb,	Mr. Berrien.
Mr. Wickes,	Mr. L'Hommedieu,	Mr. Morehouse,	Mr. Harpur,	

That Mr. *Wickes* then moved for the following Amendment to Mr. *Gansevoort's* Motion, viz. "That the Words *Three Pence* be added after the Words *One Shilling*, so that the said Blank may be filled up with the Words *One Shilling and Three Pence*."

That Debates arose thereon, and the Question being put, it was carried in the Negative, in the same Manner as the last preceding Question.

That the Question being then put on Mr. *Gansevoort's* Motion, it passed in the Affirmative.

That when the Committee came to the second Blank in the said Bill, where the Poundage to be levied on the Value of the personal Estates was to be inserted, Mr. Speaker moved that the said Blank should be filled up with the Words *Six Pence*. That Mr. *Wickes* moved as an Amendment, that the Words *Six Pence* be obliterated in the Motion of Mr. Speaker, and the Words *One Shilling* inserted in the Stead thereof—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Gansevoort,	Mr. Newkerk,	Mr. Hoffman,	Mr. Baker,	Mr. Berrien,	Mr. Dodge,
Mr. Brinckerhoff,	Mr. Van Horne,	Mr. Speaker,	Mr. Tozer,	Mr. Benedict,	Mr. B. Coe,
Mr. J. Coe,	Mr. Bell,	Mr. R. Van Rensselaer,	Mr. Hopkins,	Mr. Mills,	Mr. Morehouse.
Mr. Schoonmaker,	Mr. Bancker,	Mr. Boerum,	Mr. Benson,	Mr. Lockwood,	
Mr. Rea,	Mr. K. Van Rensselaer,	Mr. Gordon,	Mr. L'Hommedieu,	Mr. Swartwout,	
Mr. Birdfall,	Mr. Waggoner,	Mr. Miller,	Mr. Williams,	Mr. Whiting.	

For the Affirmative.

Mr. Wickes,	Mr. Jay,	Mr. Lott,	Mr. Duncomb,	Mr. Harpur,	Mr. Brasher,	Mr. Tredwell.
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That Mr. *Duncomb* then moved for the following Amendment to the Motion of Mr. Speaker, viz. "That the Words *Six Pence* be obliterated, and the Words *Nine Pence* inserted in their Stead,—That Debates arose thereon, and the Question being put, it was carried in the Negative, in like Manner as the last preceding Question.

That Mr. *Brasher* then moved for the following Amendment to the Motion of Mr. Speaker, viz. "That the Words *Six Pence* be obliterated, and the Words *Eight Pence* inserted in their Stead,"—That Debates arose thereon, and the Question being put, it was carried in the Negative, in the same Manner as the last preceding Division.

That Mr. *B. Coe* then moved for the following Amendment to the Motion of Mr. Speaker, viz. "That the Words *Six Pence* be obliterated, and the Words *Seven Pence* inserted in their Stead,"—That Debates arose thereon, and the Question being put, it was carried in the Negative, in like Manner as the last preceding Division.

That the Question being then put on Mr. Speaker's Motion, it passed in the Affirmative.

That the Committee had gone through the said Bill, made several Amendments, and altered the Title—That the altered Title is in the Words following, viz. "*An Act for raising Monies by Tax, to be applied towards the public Exigencies of this State,*" which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.

The Bill entitled, "*An Act for pardoning Amy Auger, for the Felony therein mentioned,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to continue an Act, entitled, An Act to empower the Governor, Lieutenant-Governor, or President of the Senate, administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries, therein specified, to the Uses and Purposes therein directed.*" was read a second Time, and committed to a Committee of the whole House.

Mr. *Benson* moved for Leave to bring in a "*Bill for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte.*"

Ordered, That Leave be given accordingly.

Mr. *Benson* according to Leave, brought in the said Bill, which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock on Monday next.

MONDAY, 9 o'Clock, A. M. February 8, 1779.

THE House met, pursuant to Adjournment, and adjourned until nine o'Clock Tomorrow Morning.

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TUESDAY,

TUESDAY, 9 o'Clock, A. M. February 9, 1779.

THE House met pursuant to Adjournment.

Mr. Schoonmaker, from the Committee to whom were referred the several Petitions of the Inhabitants of *Cherry-Valley*, *Springfield* and *Harpersfield*, brought in the Report of the said Committee, which he read in his Place, and delivered in at the Table, where the same was again read, and is in the Words following, viz.

"That it appears to the said Committee, That some Mode should be adopted to supply with Provisions, such of the said Inhabitants, whose Possessions have been already desolated and laid Waste by the Enemy, and who by Reason thereof, may be unable to support themselves.

"That his Excellency the Governor, upon the Application of some of the principal Inhabitants of *Albany* and *Tryon* Counties, did request the Commanding Officer in the Northern Department, to direct Provisions from the Continental Stores, to be issued for the immediate Support of the distressed Inhabitants of *Cherry-Valley*, and that Provisions have accordingly been issued for the Purpose."

That the Committee therefore report the following Resolution;

Resolved, if the Honorable the Senate shall concur herein, That his Excellency be requested to take such Measures, as he shall think most adviseable, for supplying with Provisions, such of the Inhabitants of the Western Frontiers of this State, whose Possessions have been laid Waste and desolated by the Enemy; and who, by Reason thereof, may be unable to support themselves—And that his Excellency the Governor, as well as the Commanding Officer of the Northern Department, so far as he shall have acted, or hereafter may act, by the Solicitation of his said Excellency the Governor, in issuing Provisions to such distressed Inhabitants, be indemnified—And that the Legislature will provide for any Expence that may accrue in the Premises, so as the whole Amount thereof shall not exceed the Sum of Three Thousand Pounds.

Resolved, That the House do agree with their Committee in the said Report.

Ordered, That Mr. Crane and Mr. Bell, carry a Copy of the above Report and Resolution, to the Honorable the Senate for Concurrence.

A Petition of *Catharine Kittle*, the Wife of *Andries Kittle*, now with the Enemy, for the Reasons therein, and in the State of her Case attending the same, set forth, praying that she may be permitted to hold a Farm at a Place called the *Eike Boss*, purchased by her said Husband, was read.

Ordered, That the said Petition be taken into Consideration by this House, as soon as a proper Occasion shall offer.

Mr. Harpur laid before the House, sundry Accounts of *Dirck Brinckerhoff*, Junior, for maintaining certain Poor removed from the City of *New-York*, and now in his Care, which Accounts cannot be passed by the Auditor-General, for Want of legal Vouchers.

Ordered, That the said Accounts be referred to a Committee, and that Mr. Tredwell, Mr. K. Van Rensselaer and Mr. Williams, be a Committee for that Purpose.

The Bill entitled; "*An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte*," was read a second Time, and committed to a Committee of the whole House.

Mr. Rea, from the Committee of the whole House, to whom was committed the Bill entitled, "*An Act for pardoning Amy Auger, for the Felony therein mentioned*," reported, that the said Committee had gone through the said Bill without Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the same, with the Bill, in at the Table, where the same were again read, and agreed to by the House.

The said Bill being read a third Time,

Resolved, That the Bill do pass.

Ordered, That Mr. T. Crane and Mr. Bell, carry the said Bill to the Honorable the Senate, and inform that Honorable House, that this House have passed the said Bill without Amendment.

The engrossed Bill, entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigencies of this State*," was read the third Time, and on Mr. Speaker's putting the Question, Whether the said Bill should pass, it was carried in the Affirmative by every Member present, except Mr. Williams, who voted in the Negative.

Resolved therefore, That the Bill do pass.

Ordered, That Mr. Bell and Mr. T. Crane, carry the said Bill to the Honorable the Senate, for Concurrence.

The Bill entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State*," was read a second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *Abraham Yates*, jun. Esq; with a Bill, entitled, "*An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters in this State, and for continuing the Powers of the Commissioners therein mentioned,*" that the Senate have passed the said Bill, and request the Concurrence of the House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Another Message was also received from the Honorable the Senate, by *Abraham Yates*, jun. Esq; that the Senate have passed certain Resolutions in the Words following, to which they request the Concurrence of this House, viz.

"Whereas the Army at the Posts within this State, to the Southward of this Place, do now Labour under the most pressing Necessity of Supplies of Provisions, occasioned by Want of Teams to transport the same.---And whereas there is too much Reason to suppose that such Want, is occasioned by a Non-compliance with the Regulations prescribed by Law for the Purpose.

"Resolved therefore, That in the Opinion of this Senate, a special and extraordinary Emergency does now exist, for his Excellency the Governor to issue his Warrant for the Impress of Teams, to transport Provisions to the said Posts.

"Resolved, (in Case of the Concurrence of the Honorable the House of Assembly,) That his Excellency be and is hereby requested to issue his Warrant accordingly."

The House having taken the said Resolutions into Consideration;

Resolved, That this House do concur with the Honorable the Senate, in the said Resolutions. And,

Ordered, That *Mr. Gansevoort* and *Mr. Waggoner*, carry a Copy of the above Resolution of Concurrence, to the Honorable the Senate.

Mr. Gordon, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising thereon, and for the better Regulation of Inns and Taverns within this State,*" reported, that the said Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Mr. Gansevoort moved for Leave to bring in, "*a Bill for appointing Commissioners to take, examine and state the public Accounts of the State of New-York.*"

Ordered, That Leave be given accordingly.

Mr. Gansevoort accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 10, 1779.

THE House met pursuant to Adjournment.

The Bill entitled, "*An Act to prohibit the distilling of spirituous Liquors, from Grain or Cyder,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State, and for continuing the Powers of the Commissioners therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for appointing Commissioners to take, examine and state the public Accounts of the State of New-York,*" was read a second Time, and committed to a Committee of the whole House.

Ordered, That *John Nesbit* and *Samuel Crossit*, Esquires, two of the Commissioners for collecting and distributing sundry Charitable Donations, to certain distressed Inhabitants, on the Frontiers of the Eastern and Western Districts of this State, do forthwith transmit to, or lay before the Legislature, Accounts of their Proceedings in the Execution of their Trust.

Ordered, That *Mr. Gansevoort* and *Mr. Waggoner*, carry a Copy of the above Order to the Honorable the Senate, and request their Concurrence thereto.

Mr. Schoonmaker, from the Committee to whom was referred the Petition of *Jacob Vanderkeyden*, and the several Letters attending the same, reported thereon the following Resolutions, viz.

"Resolved, That when *Jacob Vanderkeyden*, shall make it appear to the Legislature, by Affidavits from each and every Person, employed by him to purchase and export out of this State, Flour for the Use of the French Fleet, under the Command of Vice-Admiral D'Estaing, and from *James Price*, Esquire, respectively, that the said *James Price*, did actually borrow two Hundred and forty-five Barrels of Flour, upon the Account of the said

said *Jacob Vanderbeyden*, that the Flour so borrowed was applied to the Use of the said Fleet, and hath not been replaced, and that by Virtue or Pretext of the Licences, granted to the said *Jacob Vanderbeyden*, only one Thousand one Hundred and thirty-seven Barrels of Flour have been exported, and that the whole of the said Flour, which hath been exported by Virtue of the said Licences, was, honestly and *bona fide* intended for the Use of the said Fleet: That the Legislature will then pass a Bill for exempting from Seizure the two Hundred and forty-five Barrels of Flour, belonging to the said *Jacob Vanderbeyden*, and suggested to have been seized by *Jacob Cuyler*, Esquire, Deputy-Commissary of Purchases." Which Report he read in his Place, and delivered the same in at the Table, where the same was again read.

Resolved, That the House do agree with their Committee in the said Report and Resolution.

Ordered, That Mr. *Gansevoort* and Mr. *Waggoner*, carry a Copy of the said Report and Resolution, to the Honorable the Senate for Concurrence.

A Message from the Honorable the Senate, by *Richard Morris*, Esquire, and read, is in the Words following, *viz.*

"*Resolved*, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of Yesterday, whereby they do agree with their Committee in their Report on the Petitions of the Inhabitants of *Cherry-Valley*, *Springfield* and *Harpersfield*.

Ordered, That Mr. *Tredwell* and Mr. *Gordon*, wait on his Excellency the Governor, with a Copy of the said Report of the said Committee, and Resolution of this House thereon, and of the said Resolution of Concurrence of the Honorable the Senate.

Mr. *Gordon*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising thereon, and for the better Regulation of Inns and Taverns within this State*," reported, That the said Committee had gone through the said Bill, and made several Amendments thereto, and altered the Title, That the altered Title is in the Words following, *viz.* "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns within this State*," which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read—And on Mr. Speaker's putting the Question, Whether the House agreed with their said Committee in their said Report, it passed in the Affirmative by every Member, except Mr. *Lockwood*, who voted in the Negative. Thereupon,

Ordered, That the said Bill and Amendments be engrossed.

Mr. *Schoonmaker* moved for Leave to bring in "*a Bill for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester*."

Ordered, That Leave be given accordingly.

Mr. *Schoonmaker* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Williams*, from the Committee of the whole House, to whom was referred the three following Bills, reported, That the Committee had gone through the Bill, entitled, "*An Act to authorise the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the United States*," without Amendment.

That the Committee had gone through the Bill, entitled, "*An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte*," and made several Amendments thereto. And,

That the Committee had gone through the Bill, entitled, "*An Act to revive an Act, entitled, an Act to empower the Governor, Lieutenant-Governor, or President of the Senate, administering the Government of this State, to order the Commissioner and Commissaries therein mentioned to issue the several Stores, Clothing and Necessaries, therein specified, to the Uses and Purposes therein directed*," and altered the Title; That the altered Title is in the Words following *viz.* "*An Act to revive an Act, authorising the Person administering the Government of this State for the Time being, to direct the issuing of the several Stores, Clothing and Necessaries, therein specified*," which Report he read in his Place, and delivered the same, with the said Bills, and the respective Amendments to the two last mentioned Bills, in at the Table, where the same were respectively again read, and agreed to by the House.

Ordered, That the said Bills and Amendments, be respectively engrossed.

Mr. *Harpur*, from the Committee to whom the Petition of the Reverend *Isaac Rysdyck* and *Solomon Freligh*, on Behalf of the Consistory of the Reformed Protestant Dutch Churches of *Fish-Kill*, *Hopewell* and *New Hackinsack*, was on the 22d Day of October last, committed,

mitted, reported, That he was directed by the said Committee to report, that in the Opinion of the said Committee, a Bill should be brought in, "*for the more effectual Suppression of Immorality,*" and to move for Leave to bring in the same.

Ordered, That Leave be given accordingly.

Mr. Harpur accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Message from his Excellency the Governor, to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I herewith transmit you an Act of the Legislature of the State of *New-Hampshire*, for preventing the Return to that State, of certain Persons therein named, and of others who have left or shall leave that State, or any of the United States of *America*, and have joined, or shall join the Enemies thereof; and also a Letter from the Honorable *Jeremiah Powell*, Esq; President of the General Assembly of the State of *Massachusetts-Bay*, which I received Yesterday, representing the Distresses that the Inhabitants of the Town of *Boston* are likely to experience, from the Scarcity of Wheat and Flour, and requesting Permission to export Three Thousand Barrels of Flour from this State, for their immediate Relief. Poughkeepsie, February 8, 1779. GEO. CLINTON."

The Copy of a Letter from the Honorable *Jeremiah Powell*, Esq; referred to in his Excellency's said Message, was also read.

Ordered, That his Excellency's said Message be committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. February 11, 1779.

THE House met pursuant to Adjournment.

The House resolved itself into a Committee of the whole House, on his Excellency the Governor's Message, of the 8th Instant, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Hoffman* reported, That the said Committee had directed him to report a Resolution, which being read, was agreed to by the House.

And thereupon, Resolved, That in the Year 1777, the Northern Frontier of this State, from *Ticonderoga* to within a few Miles of the City of *Albany*, was by the Invasion of the Enemy, and the Military Operations on the Part of these States to repel them, laid Waste, and the Farmers not only prevented from gathering in their Harvest, but also from putting Seed in the Ground for a Crop the following Year; and that the Inhabitants in that Quarter must, until the ensuing Harvest, procure their Wheat and Flour from the other Parts of the State. That in the same Year, in Consequence of the Loss of the Forts in the Highlands, the Enemy from the Southward, invaded and penetrated into the most interior Parts of the State; and the Inhabitants from every Quarter were called forth in their Defence, and necessitated to omit the Cultivation of their Farms, in the Height of Seed Time—That, during the Course of the last Year, several valuable Settlements to the Westward, and from whence considerable Supplies of Wheat usually obtained, have been destroyed—That this State, having, since the opening of the Campaign in 1776, been the principal Seat of War; great Part of it, though not within the Power of the Enemy, hath lain uncultivated; and the Farmers have been incessantly called from the Cultivation of their Lands, either to serve in the Militia, or to assist with their Cattle in transporting Stores and Provisions for the Army—That the Troops and Prisoners, in this State and the Eastern States, have hitherto been almost entirely supplied with, and still expect, their Flour from this State—That, notwithstanding the Prohibition, great Quantities of Flour have been clandestinely carried out of the State, and either exported or conveyed to the Enemy.—That until the late Resolution of Congress for preventing it, Wheat was purchased for Forage, and, while the Grand Army lay at the White-Plains, consumed at the Rate of upwards of One Thousand Bushels per Day; and at the other Posts, in the like Proportion. That in many Instances, the disaffected, to prevent us from obtaining a Supply from them, have neglected to sow their usual Quantity of Grain—That the Crops of the last Harvest, were generally slender, estimated at not above five Eighths of the ordinary Product—That the Legislature are not informed of a competent Magazine of Flour, provided in any Part of the State for the Army—That the Supplies intended for the Troops in the Southern Department of the State, are so extremely deficient, that we have Reason to fear, the Posts in the Highlands and *Westchester* County, will be abandoned, unless a speedy Supply of Flour is obtained—That altho' no exact Account hath been taken of the Wheat and Flour in the State, yet from every Information, there is Reason to conclude, that there is not more than a Sufficiency for the Subsistence

of the Inhabitants, and the Army—That tho' many of these Facts are alarming, and as such ought undoubtedly to remain a Secret, and concealed from the Enemy; yet that the Legislature, find themselves constrained to communicate them in Confidence to certain Persons, in whom they can confide, and who have applied for Permission to export Flour, to convince them, that, consistent with a due Regard to the Preservation of the Army, and the Safety of the Common Cause, the Legislature cannot comply with their Request—That no Flour or Wheat ought to be exported out of the State, except for the immediate Purpose of the War, and that the Prohibition on Exportation, doth not proceed from partial or selfish Considerations, but was originally laid, and is still continued, from its absolute Necessity, and solely with a View to prevent the Enemy from receiving Supplies, and to preserve the Means of Subsistence for those Troops, on whom (under God) the Freedom and Independence of these States, so essentially depends—That more effectually to answer these Purposes, the Legislature have entirely precluded all Persons from purchasing, except for the Consumption of their respective Families, or for the Use of the Army—That these Regulations are very prejudicial to the private Interests of the Inhabitants of this State, as they are thereby deprived of the Opportunity of carrying their Produce to the highest Market, and consequently compelled to sell it at an under Rate—That the Feelings of the Legislature, for the Distresses of their Brethren in the Eastern States, can only be equalled by their Wishes to relieve them—That whenever the Legislature shall be informed, that proper Magazines are provided for the Army, and that a Surplus remains beyond the necessary Quantity, for the Support and Maintenance of the Inhabitants of the State; out of that Surplus, Permission will be freely granted to export any Provisions that may be necessary for the Support of their Fellow Citizens in the other States; and that the Legislature will deem themselves extremely happy, that an Opportunity will then be afforded, of contributing to their Relief.

Resolved, That his Excellency the Governor be requested to transmit Copies of the above Resolution to the Honorable *Jeremiah Powell*, Esq; President of the Council of the State of the *Massachusetts-Bay*, in Answer to his Letters, of the 14th and 21st Days of *January* last, requesting Permission for a Quantity of Flour, to be exported out of this State.

Ordered, That *Mr. Newkirk* and *Mr. Hopkins*, carry a Copy of the preceding Resolution to the Honorable the Senate, and request their Concurrence.

A Petition of *Jacob Travis*, a Lieutenant in Colonel *Thomas Thomas's* Regiment, was read setting forth the Loss of his Arm, in the Service of the United States; that he has a large Family, and is thereby reduced to Distress, and praying for Relief.

Also a Petition of *Silas Parish*, of *Fredricksburgh* Precinct, in *Dutchess* County, with sundry Certificates and Recommendations attending the same, were read, setting forth, that the Petitioner became disabled to acquire his Subsistence, occasioned by the breaking of his Leg, and other Injuries, received in the Service of the United States, in Captain *Andrew Billings's* Company and Colonel *Ritzma's* Regiment, and praying for Relief.

Ordered, That the said two Petitions be committed to the Committee, appointed on the 2d Instant, to prepare and report a Bill, for paying to Persons wounded or disabled, in the Service of the United States, their respective Pensions and Allowances.

A Petition of *Isaac Belknap*, of *Newburgh*, in the County of *Ulster*, was read; for the Reasons therein set forth, praying Payment for twenty-three Barrels of Flour, laded on Board of a Sloop and landed at *Kingston* Landing in *October*, 1777, when the Enemy's Shipping were in *Hudson's* River; an Invoice of the said Flour, an Affidavit of *Leonard Smith*, jun. proving the Property, and a Receipt for the Delivery thereof, were also read.

Ordered, That the said Petition and Vouchers, attending the same, be committed to a Committee; and that *Mr. Hoffman*, *Mr. Harpur* and *Mr. Whiting*, be a Committee for that Purpose.

The engrossed Bill, entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns within this State*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to authorize the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to revive an Act, authorising the Person administering the Government of this State for the Time being, to direct the issuing of the several Stores, Clothing and Necessaries, therein specified*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Newkerk and Mr. Hopkins, carry the four above mentioned Bills to the Honorable the Senate, for their Concurrence.

Mr. Gelston, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters in this State, and for continuing the Powers of the Commissioners therein mentioned,*" reported, that the said Bill was read in the said Committee, and being again read by Paragraphs, the first enacting Clause, is in the Words following, viz.

"Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That every Person who has already refused, or shall hereafter refuse, to take the said Oath or Affirmation, and shall before the actual Commencement of his or her Removal as aforesaid, voluntarily offer to take the said Oath or Affirmation, before any three of the said Commissioners, shall be admitted to take the same, and on taking thereof, shall be and hereby is declared to be fully and wholly absolved from all Penalties of the said Law, such former Refusal or any Thing in the said Law to the Contrary, in any Wise notwithstanding."

That on the Question being put, whether the Committee did agree to the said Paragraph,—Debates arose, and it was carried in the Affirmative, in the Manner following, viz.

For the Affirmative.

Mr. Bancker,	Mr. Waggoner,	Mr. J. Coe,	Mr. B. Coe,	Mr. Schoonmaker,	Mr. Berrien.
Mr. Gordon,	Mr. Whiting,	Mr. Benson,	Mr. Brasher,	Mr. L'Hommedieu,	Mr. Morehouse,
Mr. Tredwell,	Mr. K. Van Rensselaer,	Mr. Harpur,	Mr. Gansevoort,	Mr. Swartwout,	Mr. Boerum,
Mr. Newkerk,	Mr. Van Horne,	Mr. Hoffman,	Mr. Dodge,	Mr. Dunscomb,	
Mr. Bell.	Mr. Ogilvie,	Mr. R. Van Rensselaer,	Mr. Speaker,		

For the Negative.

Mr. Birdfall,	Mr. Hopkins,	Mr. Rea,	Mr. Younglove,	Mr. Benedict,	Mr. Mills.
Mr. Williams,	Mr. J. Clark,	Mr. Lockwood,	Mr. Baker,	Mr. T. Crane,	

That the Committee had gone through the said Bill, made several Amendments thereto, and amended the Title—That the Title as amended, is in the Words following, viz.

"*An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State, and for continuing the Powers of the Commissioners for detecting and defeating Conspiracies,*" which the said Committee had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read.

Mr. Speaker then put the Question, Whether the Bill as amended shall pass?—Debates arose thereon, and it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Gordon,	Mr. Van Horne,	Mr. Benson,	Mr. Harpur,	Mr. Boerum,
Mr. Bancker,	Mr. Ogilvie,	Mr. Berrien,	Mr. Swartwout,	Mr. Dunscomb,
Mr. Whiting,	Mr. Tredwell,	Mr. Gansevoort,	Mr. Gelston,	Mr. Dodge,
Mr. Newkerk,	Mr. R. Van Rensselaer,	Mr. Hoffman,	Mr. Schoonmaker,	Mr. Brasher,
Mr. Waggoner,	Mr. J. Coe,	Mr. Bell,	Mr. L'Hommedieu,	Mr. Morehouse.
Mr. K. Van Rensselaer,				

For the Negative.

Mr. Birdfall,	Mr. Wickes,	Mr. Rea,	Mr. B. Coe,	Mr. Baker,	Mr. T. Crane,
Mr. Hopkins,	Mr. Lockwood,	Mr. J. Clark,	Mr. Williams,	Mr. Benedict,	Mr. Miller.

Resolved, That the said Bill as amended do pass.

Ordered, That Mr. Newkerk and Mr. Hopkins, carry the said Bill and Amendments to the Honorable the Senate, and inform that Honorable House, that this House have passed the said Bill, with the Amendments therewith delivered.

The House then took into Consideration, the two Amendments made by the Honorable the Senate, to the Bill entitled, "*An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State,*" and the said two Amendments being severally read, were agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Newkerk and Mr. Hopkins, inform the Honorable the Senate, that this House have agreed to their Amendments to the said Bill, and that the same is amended accordingly.

A Petition of Philip Jacobs, was received and read, exhibiting an Account of Monies claimed by the Petitioner, as due to himself and James Dole, for the Use of the Sloop Cambden, while employed as a Prison for disaffected Persons, in the Roundout Creek, near Kingston Landing; and also for the Price or Value of the said Sloop, which was afterwards burnt by the Enemy; and praying for Payment.

Ordered,

Ordered, That the said Petition be referred to a Committee, and that Mr. Harpur, Mr. J. Clark and Mr. Dunscamb, be a Committee for that Purpose.

The Bill entitled, "*An Act for laying out, regulating and keeping in Repair, the common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester,*" was read a second Time, and committed to a Committee of the whole House.

The Bill, entitled, "*An Act for the more effectual suppressing of Immorality,*" was read a second Time, and committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. February 12, 1779.

THE House met, pursuant to Adjournment.

Mr. Benson moved for Leave to bring in a Bill, "*to procure an immediate Supply of Flour for the Army.*"

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

By Reason of the pressing Necessity of a Supply of Flour for the Use of the Army, and with the unanimous Consent of the House, the said Bill was read a second Time, and committed to a Committee of the whole House.

The Memorial of Gerard Bancker, Esq; Treasurer of this State, was read, for the Reason therein set forth, praying, that the House will take into Consideration, the Losses by Counterfeit, defaced or mutilated Bills, and by Robberies and Casualties, and certain contingent Expences, to which he is exposed in his said Office of Treasurer, and grant him such Relief, and make such Provision in the Premises, as they shall think reasonable and expedient.

Ordered, That the said Memorial be committed to a Committee, and that Mr. Benson, Mr. Berrien and Mr. Harpur, be a Committee for that Purpose.

Mr. Birdfall, from the Committee of the whole House, to whom was referred the Bill entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State,*" reported, That he was directed by the said Committee to report to the House, that the said Committee have made some Progress in the said Bill, and directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Resolved, That this House will on Monday next, resolve itself into a Committee of the whole House, on the said Bill.

Mr. Lockwood, from the Committee of the whole House, to whom was referred the Bill entitled, "*An Act to prohibit the distilling of spirituous Liquors from Grain or Cyder,*" reported That the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House—and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments be engrossed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

S A T U R D A Y, 9 o'Clock, A. M. February 13, 1779.

THE House met pursuant to Adjournment.

Mr. Benson, from the Committee to whom was referred the Memorial of Gerard Bancker, Esq; Treasurer of this State, brought in the Report of the said Committee which was read. Thereupon,

Resolved, (if the Honorable the Senate shall concur herein) That from the special personal Confidence, which the Legislature hath in Gerard Bancker, Esquire, Treasurer of this State, and from the peculiar and extraordinary Hazard and Expence, which at present attend the Execution of his Office, the public Faith of this State, shall be and hereby pledged to the said Gerard Bancker, for an Indemnification against all counterfeit or defaced Monies, which he may receive on the Account of this State, and against all Losses of public Monies by Robbery or Casualty; and also for the Allowance and Payment, besides the annual Salary for his Services, of all travelling Expences that may accrue, while on the Business of this State, and the Rent of a Chamber, proper for an Office.

Ordered, That Mr. Berrien and Mr. Benson, carry a Copy of the said Resolution to the Honorable the Senate, for Concurrence.

Copies of sundry Resolutions of the Honorable the Senate, received by Zephaniah Platt Esquire, were read, and are in the Words following, viz.

"State

“ State of New-York.

In Senate, February 11, 1779.

“ Resolved, That this Senate do not concur with the Honorable the House of Assembly, in their Resolution of the fourth Instant, on his Excellency the Governor's Message, of the 30th of January last, accompanied with a Letter from Governor Greene, of the State of Rhode-Island; and a Letter from John Browne, Esq; President pro Tempore of the Board of War at Boston.

“ Resolved, That this Senate do concur with the said Honorable House, in their Resolution of this Day, relative to the Letters from the Honorable Jeremiah Powell, Esquire, President of the Council of the State of Massachusetts-Bay.

“ Resolved, If the Honorable the House of Assembly concur herein, that his Excellency the Governor, be requested to transmit Copies of the said Resolutions, to Governor Greene, of the State of Rhode-Island; and to John Browne, Esquire, President pro Tempore of the Board of War at Boston, in Answer to their respective Letters, of the 7th of January and 15th of December last.”

Thereupon, Resolved, That this House do concur with the Honorable the Senate, in their last preceding Resolution.

Ordered, That Mr. Berrien and Mr. Benson, wait on his Excellency the Governor, with Copies of the Resolutions of this House, and of the Honorable the Senate, on his Excellency's Messages of the 30th Day of January last, and of the 8th Instant.

A Message was received from the Honorable the Senate, by Jonathan Landon, Esquire, together with the three following Bills, that the Senate have passed the said Bills without Amendment, viz.

“ The Bill entitled, “ An Act to authorise the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States.”

“ The Bill entitled, “ An Act to revive an Act, authorising the Person administering the Government of this State for the Time being, to direct the issuing of the several Stores, Clothing and Necessaries, therein specified,” And,

“ The Bill entitled, “ An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte.”

Another Message was received from the Honorable the Senate, by Mr. Landon, that the Senate have agreed to the Amendments to the Bill, entitled, “ An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State, and for continuing the Powers of the Commissioners for detecting and defeating Conspiracies,” and that the Bill is amended accordingly.

The said Bill and Amendments being examined, and it appearing thereby that the Amendments are truly made therein;

Ordered, That Mr. Berrien and Mr. Benson, carry back the said Bill to the Honorable the Senate.

The engrossed Bill, entitled, “ An Act to prohibit the distilling of spirituous Liquors, from Grain or Cyder,” was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Berrien and Mr. Benson, carry the said Bill to the Honorable the Senate, for Concurrence.

Mr. Williams, from the Committee appointed for that Purpose, according to Order, brought in a Bill, entitled, “ An Act to prevent Monopoly and Extortion,” which was read the first Time, and ordered a second Reading.

A Copy of a Resolution of the Honorable the Senate, received by Levi Pawling, Esq; was read, and is in the Words following, viz.

“ Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of this Day, on the Memorial of Gerard Bancker, Esquire, Treasurer of this State.”

Mr. Dunscomb, from the Committee of the whole House, to whom was referred the Bill, entitled, “ An Act for procuring an immediate Supply of Flour for the Army,” reported, that the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House; and he read the Report in this Place, and delivered the Bill and Amendments in at the Table; where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments be engrossed.

Resolved, That Stephen Hendrickson, be, and is hereby appointed Sergeant at Arms, to this House.

Mr. Benson moved for Leave to bring in “ a Bill to cancel certain Bills of Credit, of this State.”

R

Ordered,

Ordered, That Leave be given accordingly.

Mr. *Benson* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Resolved, That this House will on Tuesday next, resolve itself into a Committee of the whole House, to provide for the Support of Government.

Ordered, That Mr. Speaker write by Expresses, to the several Members, who having attended in their Seats since the Meeting of this House, have absented themselves without Leave of the House, requiring peremptorily, their Attendance forthwith; and to the other absent Members, also peremptorily requiring their Attendance, or to transmit to the House a reasonable Excuse for their Absence; and that each Person who shall not immediately comply therewith, shall be deemed in Contempt.

Then the House adjourned until nine o'Clock on Monday Morning next.

MONDAY, 9 o'Clock, A. M. February 15, 1779.

THE House met pursuant to Adjournment.

A Memorial of the Commissioned Officers of the Brigade, commanded by Brigadier-General *James Clinton*, in the Service of the United States, raised and officered in this State, was read; they therein set forth, that by Reason of the Depreciation of the Continental Bills of Credit, the Pay allowed to them by the Continental Establishment is greatly inadequate to their Support—and pray Relief in the Premises.

Ordered, That the said Memorial be committed to a Committee of the whole House.

And, *Resolved*, That this House will To-Morrow, resolve itself into a Committee of the whole House, on the said Memorial.

The Petition of *Joseph Gifford*, and a Number of other Inhabitants of *Albany County* residing on Lands between the Tract of Land called *Pitts-Town*, and the Tract called *Hosick*, was read—they thereby pray for a Preference in a Grant of the said Lands.

Resolved, That in the present Situation of public Affairs, a full and adequate Enquiry into the subject Matter of the said Petition cannot be made, and that this House will take the said Petition into Consideration, as soon as the other public Business will permit.

A Message from his Excellency the Governor to the Legislature, and transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I herewith transmit you, a printed Copy of certain Resolutions of the Honorable the Executive Council of the State of *Pennsylvania*, dated the 3d Instant, with a Copy of his Excellency the President of the Council's Letter, requesting me to communicate them to the Legislature of this State.

Poughkeepsie, February 12, 1779.

GEO. CLINTON."

The Copy of the Resolutions and Letter, referred to in his Excellency's said Message were also read.

Ordered, That his Excellency the Governor's said Message, and the Papers accompanying the same, be committed to a Committee of the whole House.

Mr. *Gansevoort*, from the Committee to whom was referred the Petition of *Jacob Thomas* and *William M. Adams*, brought in their Report, which was read, and is in the Words following, viz.

"That *Samuel Hake*, in the said Petition mentioned, being permitted by his Excellency the Governor, to go into the City of *New-York*, did upon his Return, bring a Quantity of Goods intended for Sale, without Permission from his Excellency the Governor, or any other Person properly authorised on the Part of this State, or the United States, grant the same.

"That the said Goods were previous to their being landed from on Board the Vessel bearing the Flag of Truce from the Enemy, by Order of his Excellency the Governor prohibited from being landed, and were directed to remain on Board of the said Vessel and return with her to *New-York*.

"That the said Goods were notwithstanding such Order, clandestinely taken from on Board the said Vessel, and landed in some Part of this State, not in the Power of the Enemy, and were sold by the said *Samuel Hake*, to the Petitioners, as appears from the said Petition.

"That some of the said Goods have been seized, and are detained, until the Pleasure of the Legislature could be known respecting them." Thereupon,

Resolved, That the Introduction of Goods into this State, in the Manner set forth in the above Report, is highly improper, and extremely injurious to the Safety of the State and ought to be prevented.

Resolved,

Resolved, That neither the said *Samuel Hake*, nor any other Person whatsoever, ought to be permitted to derive to himself any Benefit whatsoever, from the undue and unlawful Importation of the said Goods into this State, nor to have or maintain any Action, upon any promissory Note, or other Security, taken for, or on the Sale of, the said Goods or any Part of them.

Resolved, That this House do approve of the Conduct of Sir *James Jay* and *John Ferris*, Esq; in seizing the said Goods, and that they be respectively requested to detain the same, until the further Order of the Legislature; and that the public Faith be pledged to them for an Indemnification against such Seizure and Detention.

Ordered, That Mr. *Harpur* and Mr. *Mills*, carry a Copy of the above Report and Resolutions to the Honorable the Senate, and request their Concurrence to the same.

Ordered, if the Honorable the Senate shall concur in the above Report and Resolutions, That a Bill be prepared and brought in, for carrying the said Resolutions into Execution--- And that Mr. *Benson*, Mr. *Harpur* and Mr. *L'Homedieu*, in such Case, prepare and bring in the said Bill.

Mr. *J. Clark*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State*," reported, that the said Committee had made further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Petition of *Jacob Heermanse*, late Chairman of the Committee of *Rhinebeck* Precinct, in *Dutchess* County, on Behalf of himself and the said Committee, with a Pay Roll, and an Account of contingent Expences thereunto annexed, was read, setting forth, that at the Request of the said Committee, Capt. *Burrall*, with a Detachment of Militia from Connecticut, in *October*, 1777, marched into *Rhinebeck* Precinct, to assist in repelling the Enemy, then in *Hudson's-River*, and served for the Time specified in the said Pay-Roll; and that in such Service, the Expences specified in the said Account accrued—That the Petitioners by Express, informed General *Putnam*, then at *Fish-Kill*, of the Arrival of the said Detachment, and that they waited his Orders—That General *Putnam*, inasmuch as they were not called out by his Order, has refused to pay the said Detachment; and the said Captain *Burrall* hath threatened to commence a Suit, for the Pay and Expences of the said Detachment, against the Petitioners, upon their private Contract; and therefore praying Relief in the Premises.

Ordered, That the said Petition be committed to a Committee, and that Mr. *K. Van Rensselaer*, Mr. *Dodge* and Mr. *Berrien*, be a Committee for that Purpose.

The engrossed Bill, entitled, "*An Act for procuring an immediate Supply of Flour for the Use of the Army*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Harpur* and Mr. *Mills*, carry the said Bill to the Honorable the Senate, for Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. February 16, 1779.

THE House met pursuant to Adjournment.

A Petition of *John Nicoll*, Esq; and thirty other Persons, Inhabitants of the Precincts of *Newburgh* and *New-Windsor*, in *Ulster* County, and the Precinct of *New-Cornwall*, in *Orange* County, was read.

The Petitioners therein set forth, that the Timber for making the *Chiveaux-de-Frieze*, for obstructing the Navigation of *Hudson's-River*, has been principally cut on their Farms—That their Farms have been thereby greatly injured—That they humbly hope it is not the Intention of the Honorable Congress, or of this Legislature, that the Petitioners should bear so great a Proportion of the public Expence—And praying Relief in the Premises.

Ordered, That the said Petition be committed to a Committee; and that Mr. *Brasher*, Mr. *J. Clark* and Mr. *Rea*, be a Committee for that Purpose.

A Petition of *William Jeffers* and thirteen other Inhabitants, of the County of *Dutchess*, was read, praying that *Richbell Williams*, now confined by Warrant, in the Gaol of the said County, and therein charged with Misprision of Treason, may be discharged.

Ordered, That the said Petition lie on the Table.

A Message from the Honorable the Senate, by *Alexander Webster*, Esq; was read, and is in the Words following, viz.

"State of *New-York*."

In Senate, February 16, 1779.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly in their Resolutions of Yesterday, on the Subject of Goods introduced into this State from the Enemy, by *Samuel Hake*."

MF.

Mr. Benson moved for Leave to bring in "a Bill to prevent certain Inconveniencies which may result to this State, by Reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation."

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. Harpur, from the Committee appointed for that Purpose, brought in "a Bill for paying to Persons wounded or disabled in the Service of the United States, their respective Pensions and Allowances."

The said Bill was read the first Time, and ordered a second Reading.

Mr. Benson, from the Committee appointed to prepare and bring in a Bill, for carrying into Execution the Resolutions of this House of Yesterday, and concurred in by the Honorable the Senate, relative to the Importation of Goods from the Enemy, brought in a Bill for that Purpose, entitled, "An Act to prevent Abuses in Flags of Truce," which was read the first Time, and ordered a second Reading.

Mr. Benson moved for Leave to bring in "a Bill to allow to Sheriffs and Constables, an Increase of Fees."

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

The Bill entitled, "An Act to cancel certain Bills of Credit of this State," was read a second Time, and committed to a Committee of the whole House.

The several Orders of the Day being read, the House resolved itself into a Committee of the whole House, to provide for the Support of Government, and on the Memorial of the Officers of the Brigade, commanded by Brigadier General James Clinton—And after some Time spent therein, Mr. Mills, from the said Committee, reported, that the said Committee had made some Progress therein, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Resolved, That this House will To-Morrow resolve itself into a Committee of the whole House, to provide for the Support of Government, and on the said Memorial.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 17, 1779.

THE House met pursuant to Adjournment.

Ordered, That Mr. Schaonmaker and Mr. Gansevoort, carry to the Honorable the Council of Revision, the four Bills entitled as follows, viz.

"An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State,"

"An Act to revive an Act, authorising the Person administering the Government of this State for the Time being, to direct the issuing of the several Stores, Clothing and Necessaries, therein specified,"

"An Act to authorise the Person administering the Government of this State for the Time being, to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States," And,

"An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte."

The Bill entitled, "An Act to prevent certain Inconveniencies, which may result to this State, by Reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation," was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "An Act to allow to Sheriffs and Constables, an Increase of Fees," was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "An Act for paying to Persons wounded or disabled in the Service of the United States, their respective Pensions and Allowances," was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "An Act to prevent Abuses in Flags of Truce," was read a second Time, and committed to a Committee of the whole House.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, to provide for the Support of Government, and to consider of the Memorial of the Officers of the Brigade, commanded by Brigadier-General James Clinton; after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Mills from the said Committee, reported the Proceedings in the said Committee, to have been as follows, viz.

That Mr. Williams moved for a Resolution, in the Words following, viz.

"Resolved,

Resolved, That it is the Opinion of this Committee, that there be allowed to his Excellency the Governor, or the Person administering the Government of this State for the Time being, for administering the Government from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Three Thousand Pounds per Annum.—That Debates arose thereon, and the Question being put, it was carried in the Negative, by every Member present, except Mr. *Williams* and Mr. Speaker, who voted in the Affirmative.

Resolved, That it is the Opinion of this Committee, that there be allowed to his Excellency the Governor, (or the Person administering the Government of this State for the Time being) for administering the Government, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Two Thousand Pounds per Annum.

That Mr. *Williams* then moved for a Resolution, in the Words following, *viz.*

Resolved, That it is the Opinion of this Committee, that in Consideration of the present enhanced Prices of Provisions and the other Necessaries of Life, there be allowed to his Excellency the Governor, or the Person administering the Government of this State for the Time being, for administering the Government, from and until the Time aforesaid, at and after the Rate of the further Sum of One Thousand Pounds per Annum.—That Debates arose thereon, and the Question being put, it passed in the Affirmative, by every Member present, except Mr. *Brasler*, Mr. *Whiting*, Mr. *Lockwood*, Mr. *Rea*, Mr. *Hopkins* and Mr. *Baker*, who voted in the Negative. Therefore,

Resolved, That it is the Opinion of this Committee, that in Consideration of the present enhanced Prices of Provisions, and the other Necessaries of Life, there be allowed to his Excellency the Governor, or the Person administering the Government of this State for the Time being, for administering the Government, from and until the Time aforesaid, at and after the Rate of the further Sum of One Thousand Pounds per Annum.

Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable the Delegates from this State in Congress, each the Sum of Ten Dollars per Day, for each and every Day they shall respectively attend in Congress, or in a Committee of Congress; and including a reasonable Number of Days to be allowed to each, for travelling from his Place of Abode to Congress, and from Congress to his Place of Abode, agreeable to such Account thereof as he shall produce, audited and allowed by the Auditor General of this State.

That Mr. *Gansevoort* then moved for a Resolution, in the Words following, *viz.*

Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert R. Livingston*, Esq; Chancellor of this State, for his Services in that Station, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Eight Hundred Pounds per Annum.—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, *viz.*

For the Negative.

Mr. L'Homedieu,	Mr. J. Coe,	Mr. Dodge,	Mr. Swartwout,	Mr. Lockwood,	Mr. Rea,
Mr. B. Coe,	Mr. Bell,	Mr. K. Van Rensselaer,	Mr. Birdfall,	Mr. Honeywell,	Mr. Boerum,
Mr. Whiting,	Mr. Newkerk,	Mr. Gordon,	Mr. Gelston,	Mr. T. Crane,	Mr. Morehouse,
Mr. Miller,	Mr. Bancker,	Mr. Tredwell,	Mr. Hopkins,	Mr. Duncomb,	Mr. Benedict,
Mr. Berrien,	Mr. Waggoner,	Mr. J. Clark,	Mr. Harpur,	Mr. Brather,	Mr. Baker.
Mr. Brinckerhoff,					

For the Affirmative.

Mr. Speaker,	Mr. Benson,	Mr. R. Van Rensselaer,	Mr. Van Horne,	Mr. Gansevoort,	Mr. Williams.
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That Mr. *Berrien* then moved for a Resolution, in the Words following, *viz.*

Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert R. Livingston*, Esq; Chancellor of this State, for his Services in that Station, from and until the Time aforesaid, at and after the Rate of Five Hundred Pounds per Annum.—That Debates arose thereon, and the Question being put, it was carried in the Negative, in the Manner following, *viz.*

For the Negative.

Mr. Whiting,	Mr. Newkerk,	Mr. J. Clark,	Mr. Brasler,	Mr. T. Crane,	Mr. Duncomb,
Mr. Miller,	Mr. Lockwood,	Mr. Swartwout,	Mr. Honeywell,	Mr. Boerum,	Mr. L'Homedieu.
Mr. Brinckerhoff,	Mr. Gelston,	Mr. Rea,	Mr. Birdfall,	Mr. Benedict,	
Mr. J. Coe,	Mr. Tredwell,	Mr. Hopkins,	Mr. B. Coe,	Mr. Baker,	

For the Affirmative.

Mr. Berrien,	Mr. Waggoner,	Mr. Benson,	Mr. Dodge,	Mr. Gansevoort,
Mr. Bell,	Mr. Gordon,	Mr. R. Van Rensselaer,	Mr. Harpur,	Mr. Van Horne,
Mr. Bancker,	Mr. Speaker,	Mr. K. Van Rensselaer,	Mr. Williams,	Mr. Morehouse.

That Mr. *Brasler* then moved for a Resolution, in the Words following, *viz.*

Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert R. Livingston*, Esq; Chancellor of this State, for his Services in that Station,

tion, from and until the Time aforesaid, at and after the Rate of Four Hundred Pounds per Annum,"—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Brasher,	Mr. Swartwout,	Mr. Boerum,	Mr. Berrien,	Mr. Speaker,	Mr. Harpur,
Mr. J. Coe,	Mr. Honeywell,	Mr. Benedict,	Mr. Bell,	Mr. Benson,	Mr. Williams,
Mr. Newkerk,	Mr. Birdfall,	Mr. Baker,	Mr. Bancker,	Mr. R. Van Rensselaer,	Mr. Gansevoort,
Mr. Lockwood,	Mr. B. Coe,	Mr. Dunscomb,	Mr. Waggoner,	Mr. K. Van Rensselaer,	Mr. Van Horne,
Mr. Gelston,	Mr. T. Crane,	Mr. L'Hommedieu,	Mr. Gordon,	Mr. Dodge,	Mr. Morehouse.
Mr. J. Clark,					

For the Negative.

Mr. Whiting,	Mr. Miller,	Mr. Brinckerhoff,	Mr. Tredwell,	Mr. Rea,	Mr. Hopkins.
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Therefore, *Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert R. Livingston*, Esq; Chancellor of this State, for his Services in that Station, from the first Monday in *July* last, until the first Monday in *July* next, and after the Rate of Four Hundred Pounds per Annum.

That Mr. *Benson* then moved for a Resolution, in the Words following, viz.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Jay*, Esquire, Chief Justice of this State, for his Services in that Station from and until the Time aforesaid, at and after the Rate of Eight Hundred Pounds per Annum."—That Debates arose thereon, and the Question being put, it was carried the Negative, in like Manner as the Question upon the Motion, that the Sum of Eight Hundred Pounds per Annum, be allowed to the Chancellor.

That Mr. *Tredwell* then moved for a Resolution, in the Words following, viz.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Jay*, Esquire, Chief Justice of this State, for his Services in that Station from and until the Time aforesaid, at and after the Rate of Five Hundred Pounds per Annum."—That Debates arose thereon, and the Question being put, it was carried the Negative, in Manner following, viz.

For the Negative.

Mr. Whiting,	Mr. Bell,	Mr. Swartwout,	Mr. Brasher,	Mr. Honeywell,	Mr. Morehouse
Mr. Miller,	Mr. Lockwood,	Mr. B. Coe,	Mr. Rea,	Mr. Birdfall,	Mr. Benedict,
Mr. Brinckerhoff,	Mr. Gelston,	Mr. Hopkins,	Mr. T. Crane,	Mr. Boerum,	Mr. Baker,
Mr. J. Coe,	Mr. J. Clark,	Mr. Dunscomb,			

For the Affirmative.

Mr. L'Hommedieu,	Mr. Bancker,	Mr. Speaker,	Mr. K. Van Rensselaer,	Mr. Gansevoort,
Mr. Dodge,	Mr. Waggoner,	Mr. Benson,	Mr. Tredwell,	Mr. Williams,
Mr. Berrien,	Mr. Gordon,	Mr. R. Van Rensselaer,	Mr. Harpur,	Mr. Van Horne.

That Mr. *J. Clark* then moved for a Resolution, in the Words following, viz.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Jay*, Esquire, Chief Justice of this State, for his Services in that Station from and until the Time aforesaid, at and after the Rate of Four Hundred Pounds per Annum."—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. J. Coe,	Mr. Brasher,	Mr. Benedict,	Mr. Bell,	Mr. Benson,	Mr. Williams,
Mr. Newkerk,	Mr. Honeywell,	Mr. Dunscomb,	Mr. Bancker,	Mr. R. Van Rensselaer,	Mr. Gansevoort,
Mr. Lockwood,	Mr. Birdfall,	Mr. L'Hommedieu,	Mr. Waggoner,	Mr. K. Van Rensselaer,	Mr. Van Horne,
Mr. Gelston,	Mr. B. Coe,	Mr. Brinckerhoff,	Mr. Gordon,	Mr. Dodge,	Mr. Morehouse,
Mr. J. Clark,	Mr. T. Crane,	Mr. Berrien,	Mr. Speaker,	Mr. Harpur,	Mr. Tredwell,
Mr. Swartwout,	Mr. Boerum,				

For the Negative.

Mr. Whiting,	Mr. Miller,	Mr. Rea,	Mr. Hopkins,	Mr. Baker,
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Therefore *Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Jay*, Esquire, Chief Justice of this State, for his Services in that Station, from the first Monday in *July* last, until the first Monday of *July* next, at and after the Rate of Four Hundred Pounds per Annum.

That Mr. *Tredwell* then moved for a Resolution, in the Words following, viz.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert Yates* and *John Sloss Hobart*, Esquires, the other Justices of the Supreme Court of Judicature of this State, respectively, for their respective Services in that Station, from and until the Time aforesaid, at and after the Rate of Three Hundred Fifty Pounds each per Annum."—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Whiting,	Mr. Bell,	Mr. B. Coe,	Mr. J. Coe,	Mr. Honeywell,	Mr. Boerum,
Mr. L'Hommedieu,	Mr. Newkerk,	Mr. Gelston,	Mr. Swartwout,	Mr. Brasher,	Mr. Morehouse,
Mr. Berrien,	Mr. Waggoner,	Mr. Gordon,	Mr. Duncomb,	Mr. Rea,	Mr. Benedict,
Mr. Brinckerhoff,	Mr. Hopkins,	Mr. Miller,	Mr. T. Crane,	Mr. Birdfall,	Mr. Baker,
Mr. J. Clark,	Mr. Lockwood,				

For the Affirmative.

Mr. Tredwell,	Mr. Bancker,	Mr. Speaker,	Mr. Benson,	Mr. Harpur,	Mr. Van Horne.
Mr. Dodge,	Mr. K. Van Rensselaer,	Mr. R. Van Rensselaer,	Mr. Williams,	Mr. Gansevoort,	

That Mr. *Duncomb* then moved for a Resolution, in the Words following, viz.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert Yates* and *John Sloss Hobart*, Esquires, the other Justices of the Supreme Court of Judicature of this State, respectively, for their respective Services in that Station, from and until the Time aforesaid, at and after the Rate of Three Hundred Pounds each, per Annum."—That Debates arose thereon, and the Question being put, it passed in the Affirmative by every Member present, except Mr. *Whiting*, Mr. *Mills*, Mr. *Hopkins*, Mr. *Rea* and Mr. *Baker*, who voted in the Negative.

Therefore Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *Robert Yates* and *John Sloss Hobart*, Esquires, the other Justices of the Supreme Court of Judicature of this State, respectively, for their respective Services in that Station, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Three Hundred Pounds each, per Annum.

That Mr. *Benson* then moved for the following Resolution, viz.

"Resolved, That it is not the Opinion of this Committee, that the above Salaries allowed to the Chancellor and Judges of the Supreme Court, would be competent and adequate, supposing the State to be in equally flourishing Circumstances, the Prices of the Necessaries of Life, reduced to the ordinary Standard, as in the Year 1774, and the present Currency appreciated to its proper Value."—That Debates arose thereon, and Mr. *Gelston* moved for the previous Question, Whether the Question on Mr. *Benson's* Motion, shall be now put. That the previous Question being put, it was carried in the Affirmative, that the Question on Mr. *Benson's* Motion, shall not be now put, in Manner following, viz.

For the Affirmative.

Mr. Gelston,	Mr. Bell,	Mr. Lockwood,	Mr. Berrien,	Mr. Hopkins,	Mr. Honeywell,
Mr. Miller,	Mr. Newkerk,	Mr. B. Coe,	Mr. Swartwout,	Mr. Birdfall,	Mr. Morehouse,
Mr. Whiting,	Mr. Bancker,	Mr. Tredwell,	Mr. Brasher,	Mr. Duncomb,	Mr. Benedict,
Mr. L'Hommedieu,	Mr. Waggoner,	Mr. Gordon,	Mr. Williams,	Mr. Boerum,	Mr. Baker,
Mr. Brinckerhoff,	Mr. K. Van Rensselaer,	Mr. Dodge,	Mr. Rea,	Mr. T. Crane,	Mr. J. Clark.
Mr. J. Coe,					

For the Negative.

Mr. Benson,	Mr. Gansevoort,	Mr. Speaker,	Mr. R. Van Rensselaer,	Mr. Harpur,	Mr. Van Horne.
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That Mr. *Gelston* then moved for a Resolution, in the Words following, viz.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the said *John Jay*, *Robert Yates* and *John Sloss Hobart*, Esquires, exclusive of the above Salaries, for every Day they shall respectively attend, on the Execution of Commissions of Oyer and Terminer, and General Gaol Delivery, in the several Counties, and for each Day they shall respectively be travelling for that Purpose, each the Sum of Ten Dollars, agreeable to such Accounts as they shall severally produce thereof, audited and allowed by the Auditor-General of this State."—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. L'Hommedieu,	Mr. Lockwood,	Mr. Gordon,	Mr. Morehouse,	Mr. Honeywell,
Mr. Bell,	Mr. Speaker,	Mr. Benson,	Mr. Boerum,	Mr. T. Crane,
Mr. Newkerk,	Mr. Tredwell,	Mr. Gansevoort,	Mr. K. Van Rensselaer,	Mr. Van Horne,
Mr. R. Van Rensselaer,	Mr. Gelston,	Mr. Harpur,	Mr. Dodge,	Mr. Berrien.
Mr. Waggoner,				

For the Negative.

Mr. B. Coe,	Mr. Brinckerhoff,	Mr. Swartwout,	Mr. Brasher,	Mr. Baker,
Mr. Miller,	Mr. J. Coe,	Mr. Rea,	Mr. Hopkins,	Mr. Benedict,
Mr. Whiting,	Mr. Bancker,	Mr. Birdfall,	Mr. Duncomb,	Mr. J. Clark.

Therefore, Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Jay*, *Robert Yates* and *John Sloss Hobart*, Esquires, exclusive of the above Salaries, for every Day they shall respectively attend on the Execution of Commissions of Oyer and Terminer, and General Gaol Delivery in the several Counties, and for each Day they have been or shall respectively be travelling for that Purpose, between the first Monday in *July* last, and the first Monday in *July* next, each the Sum of Ten Dollars, agreeable to such Accounts as they shall severally produce thereof, audited and allowed by the Auditor General of this State.

Resolved,

Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable *John Morin Scott*, Esq; Secretary of this State, for attending the Sessions of the Legislature for the Purpose of receiving Laws, and for recording the same, and for his Services as Clerk to the Council of Appointment, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Sixty Pounds per Annum.

Resolved, That in Consideration of the present extraordinary Expences in attending upon the Legislature and Council of Appointment, it is the Opinion of this Committee, that there be allowed to the said *John Morin Scott*, for his Services aforesaid, from and to the Time aforesaid, at and after the Rate of the further Sum of Fifty Pounds per Annum.

That Mr. *Brinckerhoff* then moved for a Resolution, in the Words following, *viz.*

Resolved, That it is the Opinion of this Committee, that Ten Shillings per Day shall be allowed to the several Members of the Senate and Assembly, for each and every Day they shall severally attend in Senate or Assembly."

That Mr. *Williams* then moved for the following Amendment to the Motion of Mr. *Brinckerhoff*, *viz.* "That the Word *Ten* be struck out, and the Words *Thirty-Two* inserted in its Stead,—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, *viz.*

For the Negative.

Mr. Lott,	Mr. Brinckerhoff,	Mr. Swartwout,	Mr. Speaker,	Mr. Birdfall,	Mr. Baker,
Mr. Brasher,	Mr. Berrien,	Mr. Harpur,	Mr. Gordon,	Mr. R. Van Rensselaer,	Mr. T. Crane,
Mr. Bancker,	Mr. Gelston,	Mr. Gansevoort,	Mr. Van Houten,	Mr. Boerum,	Mr. Whiting,
Mr. K. Van Rensselaer,	Mr. Tredwell,	Mr. L'Hommedieu,	Mr. Rea,	Mr. Schoonmaker,	
Mr. Morehouse,	Mr. Benson,	Mr. J. Clark,	Mr. Lockwood,	Mr. Miller,	

For the Affirmative.

Mr. Dodge,	Mr. Bell,	Mr. Newkerk,	Mr. Hopkins,	Mr. J. Coe,	Mr. Honeywell.
Mr. Van Horne,	Mr. Waggoner,	Mr. Williams,	Mr. B. Coe,	Mr. Benedict,	

That Mr. *Birdfall* then moved for the following Amendment to the Motion of Mr. *Brinckerhoff*, *viz.* "That the Word *Ten* be struck out, and the Words *Twenty-Four* inserted in its Stead,"—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, *viz.*

For the Affirmative.

Mr. Birdfall,	Mr. Newkerk,	Mr. Benson,	Mr. Hopkins,	Mr. T. Crane,	Mr. Baker,
Mr. Brasher,	Mr. K. Van Rensselaer,	Mr. Swartwout,	Mr. L'Hommedieu,	Mr. Gansevoort,	Mr. Benedict,
Mr. Bancker,	Mr. Morehouse,	Mr. Williams,	Mr. Gordon,	Mr. Rea,	Mr. Whiting,
Mr. Dodge,	Mr. B. Coe,	Mr. J. Coe,	Mr. Van Houten,	Mr. Boerum,	Mr. Lott,
Mr. Bell,	Mr. Berrien,	Mr. J. Clark,	Mr. Schoonmaker,	Mr. Miller,	Mr. Tredwell.
Mr. Waggoner,					

For the Negative.

Mr. Van Horne,	Mr. Gelston,	Mr. Speaker,	Mr. Lockwood,
Mr. Brinckerhoff,	Mr. Harpur,	Mr. R. Van Rensselaer,	Mr. Honeywell.

That the Question was then put, on Mr. *Brinckerhoff's* Motion, as amended, and it passed in the Affirmative. Thereupon,

Resolved, That it is the Opinion of this Committee, that there be allowed to the several Members of the Senate and Assembly, each the Sum of Twenty-Four Shillings, for each and every Day they shall severally attend in Senate and Assembly, agreeable to such Accounts thereof, as they shall severally produce, certified by the President of the Senate, or Speaker of the Assembly, respectively.

That a Motion was then made by Mr. *Benson*, that each Member be allowed Five Dollars per Day for travelling from his Place of Abode to the Place of Meeting of the Legislature, and in returning—Forty Miles to be computed for a Day's Travel,—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, *viz.*

For the Affirmative.

Mr. Lott,	Mr. Morehouse,	Mr. J. Coe,	Mr. L'Hommedieu,	Mr. Williams,	Mr. Whiting,
Mr. Berrien,	Mr. Bell,	Mr. Birdfall,	Mr. Hopkins,	Mr. Swartwout,	Mr. Benedict,
Mr. Bancker,	Mr. Miller,	Mr. Van Houten,	Mr. Benson,	Mr. Baker,	Mr. T. Crane.
Mr. Van Horne,	Mr. Dodge,	Mr. Lockwood,			

For the Negative.

Mr. Brasher,	Mr. Gelston,	Mr. B. Coe,	Mr. Rea,	Mr. Gansevoort,	Mr. Newkerk,
Mr. Brinckerhoff,	Mr. K. Van Rensselaer,	Mr. J. Clark,	Mr. Schoonmaker,	Mr. Honeywell,	Mr. Boerum,
Mr. Waggoner,	Mr. Gordon,	Mr. Speaker,	Mr. R. Van Rensselaer,		

Therefore, *Resolved*, That it is the Opinion of this Committee, that there be allowed to each Member of the Senate and Assembly, Five Dollars per Day, for travelling from his Place of Abode to the Place of Meeting of the Legislature, and in returning—Forty Miles to be computed for a Day's Travel.

Resolved.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Gerard Bancker*, Esquire, Treasurer of this State, for his Services in that Station, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Six Hundred Pounds per Annum.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Comfort Sands*, Esq; Auditor-General of this State, for his Services in that Station, from the first Monday in *July* last, until the first Monday in *July* next, at and after the Rate of Five Hundred Pounds per Annum.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Robert Benson*, Esq; Clerk of the Senate, for his Services in that Station, Thirty-Six Shillings per Day, agreeable to such Account thereof as he shall produce, certified by the President of the Senate; And,

To the said *Robert Benson*, for sundry Sums by him advanced for the Use of the Senate, the Amount of such Account thereof as he shall produce, certified by the President of the Senate.

Resolved, That it is the Opinion of this Committee, that there be allowed to *John Mc. Kesson*, Esq; Clerk of this House, for his Services in that Station, Thirty-Six Shillings per Day, agreeable to such Account thereof as he shall produce, certified by the Speaker of the Assembly; And,

To the said *John Mc. Kesson*, for sundry Sums by him advanced for the Use of the Assembly, the Amount of such Account as he shall produce thereof, certified by the Speaker.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Robert Benson* and *Stephen Lush*, Esquires, Aids de Camp to his Excellency the Governor, Continental Pay and Rations, as Lieutenant-Colonels, from the Time of their respective Appointments, to the first Monday in *July* next, agreeable to such Accounts thereof as they shall respectively produce, audited by the Auditor-General of this State.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Victor Bicker*, Door-keeper to the Senate, for his Services in that Station, Thirty-Two Shillings per Day, agreeable to such Account as he shall produce thereof, certified by the President of the Senate.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Daniel Lawrence*, Door-keeper to the Assembly, for his Services in that Station, Thirty-Two Shillings per Day, agreeable to such Account as he shall produce thereof, certified by the Speaker of the Assembly.

Resolved, That it is the Opinion of this Committee, that there be allowed to *Zephaniah Platt* and *Robert Harpur*, Esquires, respectively, appointed by the Senate and Assembly, to superintend printing the Laws, and the Journals of both Houses of the Legislature, the Sum of Six Hundred and Eighty-Three Pounds, Four Shillings and Four-Pence, for the like Sum by them advanced and paid for Paper, whereon to print the said Laws and Journals, and for other Uses of the Legislature.

Resolved, That it is the Opinion of this Committee, there be allowed to his Excellency the Governor, for the Expences of Expresses and Messengers, and other incidental Charges, which may arise in and about the administering the Government, such Sum or Sums, as he shall from Time to Time require, in the whole not to exceed the Sum of One Thousand Pounds; and that his Excellency the Governor account with the Legislature of this State for the Expenditure thereof.

That with Respect to such Part of the Business, committed to the said Committee, as respects the Memorial of the Officers of General *James Clinton's* Brigade, the Committee had made some Progress therein, and had directed him to move for Leave to sit again.

Which Report he read in his Place and delivered in at the Table, where the same was again read, and agreed to by the House.

Ordered, That a Bill be brought in pursuant to the said Resolutions, and that Mr. *Berrien*, Mr. *Benson* and Mr. *Van Horne*, be a Committee for that Purpose.

Resolved, That this House will again resolve itself into a Committee of the whole House, on the said Memorial of the Commissioned Officers of General *James Clinton's* Brigade.

A Letter from *David Currie*, Commissary for supplying the Troops raised under the Direction of this State, as are not provided for them by the Commissary General, relative to the Business committed to his Care, was read.

Ordered, That the said Letter be committed to a Committee, and that Mr. *Brinckerhoff*, Mr. *Bancker* and Mr. *Boerum*, be a Committee for that Purpose.

Mr. *Benson* moved for Leave to bring in "a Bill to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court.

Ordered, That Leave be given accordingly.

Mr. *Benson* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Petition of *Ezra Ratty*, dated the 15th Instant, was read, and ordered to lie on the Table.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. February 18, 1779.

THE House met pursuant to Adjournment.

A Message from the Honorable the Council of Revision, by the Chancellor, was read, and is in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that the several Bills with the following Titles, viz.

"An Act for ascertaining the Mode of appointing the Officers in the Continental Forces, raised under the Direction of this State;"

"An Act to revive an Act, authorising the Person administering the Government of this State for the Time being, to direct the issuing of the several Stores, Clothing and Necessaries, therein specified;"

"An Act to authorise the Person administering the Government of this State for the Time being to transmit Copies of the Laws of this State, to the Honorable the Congress of the United States, and to the Executive Authority of each of the said United States;" And,

"An Act for holding Courts of Common Pleas, and of General Sessions of the Peace, in the County of Charlotte," should become Laws of this State.

A Copy of a Resolution of the Honorable the Council of Revision transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that the Bills with the following Titles, viz.

"An Act for pardoning Amy Auger, for the Felony therein mentioned." And,

"An Act to amend an Act, entitled, an Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State, and for continuing the Powers of the Commissioners for detecting and defeating Conspiracies," should become Laws of this State.

A Petition of *Johannes Atobksin*, and five other Indians, claiming certain Lands in Kings District, was read.

Ordered, That the said Petition be taken into Consideration by this House, at the same Time that the Petition of *John Beebe*, *Philip Frisbe*, and other Inhabitants of Kings District shall be taken into Consideration.

A Petition of *Sebastian Beauman*, *John Doughty*, *Andrew Moodie* and *Gershom Mott*, Captain in the Continental Regiment of Artillery, commanded by Colonel *John Lamb*, was read—Praying that their Companies may be taken under the Patronage of this State, and admitted tolike Privileges and Advantages with the five Continental Battalions raised under the Direction of this State.

Ordered, That the said Petition be committed to a Committee, and that Mr. R. *Van Rensselaer*, Mr. *Brashear* and Mr. *Lott*, be a Committee for that Purpose.

A Petition of *Alexander Webster*, *Ebenezer Russell*, *David Hopkins*, and *Albert Baker* Esquires, Inhabitants of the County of *Charlotte*, was read.—They thereby pray that a Company of not less than thirty, nor more than forty Men, Officers included, may be raised and allowed Continental Pay and Rations, to guard the Frontiers of the said County.

Thereupon, Resolved, That this House will To-Morrow resolve itself into a Committee of the whole House, on that Part of his Excellency the Governor's Speech, of the thirteenth of October last, which respects the guarding and protecting the Frontiers of the State; and that the said Petition be then taken into Consideration by the Committee of the whole House.

Mr. *Gansevoort* moved for Leave to bring in "a Bill to prevent the Practice of purchasing Clothing from the Privates in the Army of the United States."

Ordered, That Leave be given accordingly.

Mr. *Gansevoort* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Mills* moved for Leave to bring in "a Bill for the Relief of the Poor in Westchester County, and for other Purposes therein mentioned."

Ordered, That Leave be given accordingly.

Mr. *Mills* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Birdsall*, from the Committee of the whole House, to whom was committed the Bill entitled, "An Act to confiscate and make Sale of all the real and personal Property of the Enemies of

his State," reported, that in proceeding through the said Bill by Paragraphs, one Paragraph thereof was read, in the Words following, viz.

"And be it further enacted by the Authority aforesaid, That all and singular the Messuages, Lands, Tenements, Hereditaments, Rents, Arrearages of Rents and Services, whether in Possession, Reversion or Remainder, whatsoever, within this State, which on the said ninth Day of July, in the Year of our Lord One Thousand Seven Hundred and Seventy-Six, or since that Time, did or now do belong to or vest in, or are claimed to belong to or vest in, any of the Inhabitants or Subjects of Great-Britain, and all Right and Title to the same, whether the same severally are held or claimed by themselves severally and respectively, or by other Person or Persons in Trust for, and to and for the Use of them, or any or either of them, shall be deemed and esteemed in the Law, absolutely forfeited to, and vested in and belong to, and be the Property of the People of this State.

"Provided always, That the public Faith of this State, is hereby pledged for such Re-stitution thereof, or Compensation therefor, in Favour of such of the said Inhabitants and Subjects of Great-Britain, as on Petition to the Legislature of this State, may in the Judgment of the Legislature, to be declared in a Law or Laws, hereafter to be passed for the Purpose, appear to have opposed the Commencement and Prosecution of the present War, on the Part of Great-Britain, as the Legislature shall in their Wisdom think proper."

That Mr. Brasher moved that the said Paragraph be rejected.—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. B. Coe,	Mr. Van Horne,	Mr. R. Van Rensselaer,	Mr. Gelston,	Mr. J. Coe,	Mr. Morehouse,
Mr. Berrien,	Mr. Van Houten,	Mr. Schoonmaker,	Mr. Tredwell,	Mr. Brinckerhoff,	Mr. Mills,
Mr. Newkerk,	Mr. J. Clark,	Mr. Smith,	Mr. Miller,	Mr. Honeywell,	Mr. Benedict,
Mr. Bell,	Mr. Harpur,	Mr. L'Hoummedieu,	Mr. Lott,	Mr. Hopkins,	Mr. Baker.
Mr. Waggoner,	Mr. Boerum,	Mr. Benson,			

For the Affirmative.

Mr. Bancker,	Mr. K. Van Rensselaer,	Mr. Gordon,	Mr. Williams,	Mr. T. Crane.
Mr. Gansevoort,	Mr. Whiting,	Mr. Speaker,	Mr. Duncomb,	
Mr. Brasher,	Mr. Swartwout.	Mr. Dodge,	Mr. Lockwood,	

That the said Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Message from his Excellency the Governor, to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I submit to your Consideration a Resolution of Congress, of the 8th Instant, directing the President to write to the Governors of the States of Connecticut and New-York, requesting them to afford such Supplies of Flour and Provisions, for the distressed Inhabitants of the State of Rhode-Island and Providence Plantations, as their Necessities call for, so far as their Circumstances will admit, and under such Regulations as may best Answer the End proposed; with a Copy of his Excellency the President's Letter on the subject.

Poughkeepsie, February 18, 1779.

GEO. CLINTON."

The Copy of the Resolution of Congress, and of the President's Letter, referred to in his Excellency the Governor's Message, were also read.

Ordered, That his Excellency's said Message, be referred to the Committee appointed on the 2d Instant, to devise Ways and Means to procure a further Supply of Flour, for the Use of the Army.

Mr. Benson moved for Leave to bring in "a Bill, making it Felony without Benefit of Clergy, to counterfeit, or to pass knowing the same to be counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States of America, or by the Authority of this or any other of the United States.

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY, 9 o'Clock, A. M. February 19, 1779.

THE House met, pursuant to Adjournment.

A Letter from Peter T. Curtenius, Esq; dated yesterday, was read; he thereby informs what Clothing he has purchased for the five Continental Battalions, raised under the Direction of this State, and inclosed an Estimate of the Expence of Clothing the said Battalions for the Year 1779.

Ordered,

Ordered, That the said Letter and Estimate, be committed to a Committee of the whole House, and that the same be taken into Consideration, at the same Time with the Memorial of the Officers of General James Clinton's Brigade.

The Bill entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act making it Felony without Benefit of Clergy, to counterfeit or to pass, knowing the same to be counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States of America, or by the Authority of this, or any other of the United States,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to prevent Monopoly and Extortion,*" was read a second Time, and committed to a Committee of the whole House.

Mr. Benson, from the Committee appointed for that Purpose, according to Order, brought in "*a Bill for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" which was read the first Time, and ordered a second Reading.

Mr. Harpur moved for Leave to bring in "*a Bill, to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State.*"

Ordered, That Leave be given accordingly.

Mr. Harpur accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. K. Van Rensselaer moved for Leave to bring in "*a Bill to divide the District of the Manor of Rensselaerwyck, in the County of Albany, into two Districts.*"

Ordered, That Leave be given accordingly.

Mr. K. Van Rensselaer accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. Dodge, from the Committee to whom was referred the Petition of Jacob Heermanse, late Chairman of the Committee of Rhynebeck Precinct, brought in the Report of the said Committee, which was read, and agreed to by the House. Thereupon,

Resolved, (if the Honorable the Senate shall concur herein) That whenever the late Committee of Rhynebeck Precinct, in Dutchess County, shall produce to the Legislature, a Pay-Roll (and an Account of the Contingencies) of the Detachment of the Militia from Connecticut, commanded by Captain William Burrall, for their Services, in the said Precinct, in the Month of October, 1777, properly audited by the Auditor General of this State; that the Legislature will provide for the Payment thereof—And that when such Payment shall be made, the Treasurer be directed to charge the same to the Continental Account.

Ordered, That Mr. Benson and Mr. Gansevoort, carry a Copy of the above Resolution to the Honorable the Senate, for Concurrence.

A Petition of James Hunter and William Gillespy, praying Payment for the Pasturage of a Number of Sheep and Cattle, was read; an Account of the Sums charged for Pasturage and to whom due, and also a Pay-Roll for the said James Hunter, and five other Men, for their Time in procuring Pasturage, were also read.

Ordered, That the said Petition and Account, and Pay-Roll, be committed to a Committee, and that Mr. Schoonmaker, Mr. Lott and Mr. Williams, be a Committee for that Purpose.

Mr. Mills, from the Committee of the whole House, to whom was committed the Memorial of the Officers of the five Continental Battalions, raised under the Direction of this State, now forming General James Clinton's Brigade, reported, that the said Committee had directed him to report the following Resolutions, viz.

"Resolved, That it is Opinion of this Committee, that in Consideration of their Services, and for the Purpose of providing themselves with Clothing; there be allowed to the Colonels, Lieutenant-Colonels, Majors, Captains, Lieutenants, Ensigns, Pay-Masters, Adjutants, Quarter-Masters, Surgeons and Surgeon's Mates, in the five Continental Regiments, raised under the Direction of this State, and to the Reverend John Gano, serving as Chaplain to the said Regiment; each the Sum of One Hundred and Fifty Pounds.

"Resolved, That in as much as this Committee is not sufficiently informed of the Condition of the Officers in Captivity, with Respect to Clothing, that the above Bounty shall not be extended to any Officer belonging to the said Regiments, now a Prisoner with the Enemy."

Which Report he read in his Place, and delivered in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the Committee who prepared and brought in "*a Bill for the Payment of the Salaries of the several Officers of Government,*" add a proper Clause, or Clauses to the said Bill, for the foregoing Allowance.

Resolved,

Resolved, That the Order of the Day, for taking into Consideration that Part of his Excellency the Governor's Message, of the 13th Day of *October* last, which respects the Defence of the Frontiers, be postponed until To-Morrow.

Resolved, That the Order of Yesterday, referring the Petition of the Officers of four Companies of Colonel *Lamb's* Regiment, to a Committee, be rescinded, and that the said Petition be committed to a Committee of the whole House.

Mr. *Mills*, from the Committee of the whole House, to whom was committed the Petition of the Officers of four Companies in Colonel *Lamb's* Regiment, reported, that the said Committee had come to certain Resolutions thereon, which they had directed him to report to the House; and he read the Report in his Place, and delivered the same in at the Table, where the same was again read, and agreed to by the House. Thereupon,

Resolved, That in the Year One Thousand Seven Hundred and Seventy-Six; when the present Army was raised, there were only four Battalions allotted as the Quota of this State.—That the Convention of this State did, from a Zeal to promote the Cause, consent to raise an additional Regiment—That the public Faith and Honour of this State, is engaged to the said five Regiments, to provide for them in Preference to any other Troops—That even at the Time when this State raised the said five Regiments, it was with Difficulty that proper Provision could be made for them—That this State hath since suffered greatly by the Defection of a considerable Territory, and the Incursions and Ravages of the Enemy, in so much that they are utterly unable to grant any Bounty or Allowance to any other Troops than the said five Battalions.—And that among other Misfortunes resulting from the present reduced Condition of the State, the Legislature doth not regret as one of the Least, their Inability to support or relieve the Inhabitants of this State, serving in other Corps.

Resolved, That a Letter be written to the Delegates from this State in Congress, mentioning the Application on Behalf of the Officers of Colonel *Malcom's* Regiment, and the Application of the Officers of four Companies in Colonel *Lamb's* Regiment of Artillery, to be taken under the Patronage of this State, the Inability of this State to comply with their Request, and recommending those Troops to the particular Attention of the Delegates, in Case they should apply to Congress, for a farther Allowance or Provision.

Ordered, That Mr. *Benson* and Mr. *Gansevoort*, carry a Copy of the above Resolutions to the Honorable the Senate, for Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

S A T U R D A Y, 9 o'Clock, A. M. *February* 20, 1779.

THE House met pursuant to Adjournment.

A Petition of *Amos Scofield*, dated the 25th Day of *January* last, was read, he therein sets forth a Petition of *Ebenezer Scofield*, committed to a Committee of the late House of Assembly, praying Compensation for several Teams taken by the Enemy, in *Westchester* County; and prays that the Legislature will resume the Consideration of the said Petition.

Ordered, That the Petition of *Amos Scofield*, be committed to a Committee, and that Mr. *Duncomb*, Mr. *Mills* and Mr. *Brinckerhoff*, be a Committee for that Purpose.

The Bill entitled, "*An Act to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State.*" was read a second Time, and committed to Committee of the whole House.

The Bill entitled, "*An Act to divide the District of the Manor of Rensselaerwyck, in the County of Albany, into two Districts,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *Jellis Fonda*, Esq; with the Bill, entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns within this State,*" that the Senate have passed the said Bill, with the Amendments therewith delivered.

Mr. *Morehouse* from the Committee of the whole House, to whom was committed that Part of his Excellency's Speech, of the 13th Day of *October* last, which respects the Defence of the Frontiers, reported, that the said Committee had agreed to a Resolution in the Words following, *viz.*

Resolved, That the Delegates from this State, be directed to suggest to Congress, the absolute Necessity of carrying on offensive Operations against the Enemy to the Westward, and to obtain the necessary Resolutions and Orders for the Purpose. That the Committee had made some further Progress therein, and had directed him to move for

Leave to sit again; which Report he read in his Place, and delivered in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the said Committee have Leave to sit again.

Resolved, That the Delegates from this State, be instructed to suggest to Congress, the absolute Necessity of carrying on offensive Operations against the Enemy to the Westward, and to obtain the necessary Resolutions and Orders for the Purpose.

Ordered, That Mr. *Benson* and Mr. *Gansevoort*, carry a Copy of the above Resolution, to the Honorable the Senate for Concurrence.

A Message was received from the Honorable the Senate, by *Alexander Webster*, Esquire; with the Bill, entitled, "*An Act to prohibit the distilling of spirituous Liquors from Grain or Cyder*," that the Senate have passed the same, with the Amendments therewith delivered.

Mr. *Birdsall* from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State*," reported, that the said Committee had made further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock on Monday Morning next.

MONDAY, 9 o'Clock, A. M. February 22, 1779.

THE House met pursuant to Adjournment.

Mr. *Van Horne* from the Committee of the whole House, to whom were committed the several following Bills, reported, that the said Committee had gone through the Bill, entitled, "*An Act to cancel certain Bills of Credit of this State*," and made several Amendments thereto.

That the said Committee had gone through the Bill, entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court*," without Amendment.

That the said Committee had gone through the Bill, entitled, "*An Act to allow to Sheriffs and Constables, an Increase of Fees*," and made some Amendments thereto.

That the said Committee had gone through the Bill entitled, "*An Act for paying to Persons wounded or disabled in the Service of the United States, their respective Pensions and Allowances*," made sundry Amendments thereto, and altered the Title; that the altered Title is in the Words following, viz. "*An Act to carry into Execution, certain Resolutions of Congress, making Provision for Persons who may become disabled, while in the Service of the United States*." And,

That the said Committee had gone through the Bill, entitled, "*An Act to prevent Abuses in Flags of Truce*," made several Amendments thereto, and altered the Title; that the altered Title is in the Words following, viz. "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned*," which Report he read in his Place, and delivered the said several Bills, with their respective Amendments in at the Table, where the same were respectively again read, and agreed to by the House.

Ordered, That the said Bills with their respective Amendments, be engrossed.

A Message was received from the Honorable the Senate, by *Jonathan Landon*, Esquire, with the Bill, entitled, "*An Act to revive an Act, to prevent the spreading of the Small-Pox, within this State, passed the fourth Day of April, 1778*," and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. February 23, 1779.

THE House met, pursuant to Adjournment.

Four Copies of a Petition signed by three Hundred and twenty-five Inhabitants, of the County of *Ulster*, were read, complaining of the Depreciation of Paper Currency, of procuring Supplies for the Army on Commissions; of the unrestrained Practices of Monopolizers and Engrossers; of the Want of more efficacious Means to render effectual the Embargo on Wheat, Flour and Meal, so essential to the Support of the Inhabitants and the Army, and of other Matters therein mentioned---And suggesting sundry Expedients for Redress.

Ordered, That the said Petition be committed to a Committee of the whole House.

A Petition of *Robert Boyd* and *Samuel Loudon*, praying Permission to raise Three Thousand Pounds, by Lottery, to enable them to erect and carry on a Paper-Mill, was read.

Ordered, That the said Petition be committed to a Committee, and that Mr. *Taylor*, Mr. *Cantine* and Mr. *Van Horne*, be a Committee for that Purpose.

A Message was received from the Honorable the Senate, by *Isaac Roosevelt*, Esq; with the Bill, entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigences of this State*," That the Senate have passed the said Bill, with the Amendments therewith delivered.

Thereupon,

Thereupon, *Resolved*, That this House cannot, consistent with what they conceive to be the Trust reposed in them, concur to any Amendments of the Honorable the Senate, to Money Bills, unless that Honorable House will previously consent, that such Concurrence on the Part of this House shall not be drawn into Precedent, to prejudice their Claim of the Privilege, exclusively to originate all Money Bills in the Legislature; until by the Restoration of Peace, or the Departure of the Enemy, or other favourable Occurrences, the Attention of the Legislature shall be wholly occupied in Matters respecting the immediate Safety and Preservation of the State; and a convenient Opportunity will thereby be afforded for the Discussion of the said Claim.

Ordered, That Mr. Smith and Mr. Ogilvie, carry a Copy of the above Resolution to the Honorable the Senate for Concurrence.

The Bill entitled, "*An Act for the Relief of the Poor in Westchester County, and for other Purposes therein mentioned*," was read a second Time, and committed to a Committee of the whole House.

Mr. Harpur moved for Leave to bring in "*a Bill to remove Doubts which have arisen upon the Act for supplying the Families of the Persons belonging to the five Continental Battalions, raised under the Direction of this State, with the Necessaries of Life at moderate Prices*."

Ordered, That Leave be given accordingly.

Mr. Harpur accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. Gordon moved for Leave to bring in "*a Bill to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon*."

Ordered, That Leave be given accordingly.

Mr. Gordon accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

The engrossed Bill, entitled, "*An Act to cancel certain Bills of Credit of this State*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing a Place for holding the Supreme Court*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to allow to Sheriffs and Constables, an Increase of Fees*," was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith and Mr. Ogilvie, carry the said four Bills to the Honorable the Senate, for Concurrence.

A Copy of two Resolutions of the Honorable the Senate, delivered by Isaac Roosevelt, Esquire, was read, and is in the Words following, viz.

"State of New-York.

In Senate, February 22, 1779.

"*Resolved*, That this Senate do approve of the Conduct of the joint Committee of the Senate and Assembly, appointed to superintend the printing the Journals of the Senate and Assembly, and the Laws of this State.

"*Resolved*, (if the Honorable House of Assembly concur herein) That the said Committee retain and keep in their Possession, the Paper remaining in their Hands, and that they from Time to Time deliver to his Excellency the Governor, the Secretary of this State, the Clerks of the Senate and Assembly, and to such other Persons as they shall think proper, for public Use, such Quantities thereof as they shall think expedient, taking proper Receipts for the same; and that the Legislature will reimburse them for their Expences attending the safe-keeping of the said Paper. And that the other Powers of the said Committee be continued until the further Order of the Legislature."

Mr. Birdsell, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State*," reported, that the said Committee had made further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Copies of two Resolutions of the Honorable the Senate, delivered by William Smith, Esquire, were read, and are in the Words following, viz.

"In Senate, February 23, 1779.

"The Senate proceeded to a Consideration of the Resolution of the Honorable the House

House of Assembly, of this Day, expressive of the Denial of the Right of this Senate to amend Money Bills." And thereupon,

"Resolved, That the said Resolution contains a Denial of a Constitutional Right of this Senate, which they have hitherto uniformly exercised with the Concurrence of the said House

"Resolved, That the Attention of this Senate is so wholly occupied in Matters respecting the immediate Safety of this State, that they cannot in Justice to their Constituents now give the said Resolution any further Consideration.

"Resolved therefore, That the farther Consideration of the said Resolution, be deferred until a more convenient Opportunity."

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 24, 1779.

THE House met pursuant to Adjournment.

The House proceeded to the Consideration of the Amendments made by the Honorable the Senate to the Bill, entitled, "*An Act to prevent the distilling of spirituous Liquor from Grain or Cyder*," viz. to strike out the Words *or Cyder*, in the Title, and throughout the said Bill—The Bill with the Amendments being read, the Amendments were agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Jay and Mr. Baker, carry back the said Bill to the Honorable the Senate, and inform them that this House have agreed to their Amendments to the said Bill, and that the same is amended accordingly.

Mr. Speaker put the Question, Whether the Bill entitled, "*An Act to revive an Act to prevent the spreading of the Small-Pox within this State, passed the 4th Day of April, 1778*," should be read a second Time, and it passed in the Negative, *Nem. Con.*

Resolved therefore, That the said Bill be rejected.

Ordered, That Mr. Jay and Mr. Baker, carry a Copy of the above Resolution to the Honorable the Senate.

The engrossed Bill entitled, "*An Act to carry into Execution certain Resolutions of Congress making Provision for Persons who may become disabled, while in the Service of the United States*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Jay and Mr. Baker, carry the said Bill to the Honorable the Senate for Concurrence.

The Bill entitled, "*An Act to remove Doubts which have arisen upon the Act for supplying the Families of the Persons belonging to the five Continental Battalions, raised under the Direction of this State, with the Necessaries of Life at moderate Prices*," was read a second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by Ebenezer Russell, Esquire with the Bill, entitled, "*An Act for procuring an immediate Supply of Flour for the Army*," That the Senate have passed the said Bill, with the Amendments therewith delivered.

The Bill and Amendments being read, and the Amendments respectively agreed to,

Ordered, That the Bill be amended accordingly.

Ordered, That Mr. Jay and Mr. Baker, carry back the said Bill to the Honorable the Senate, and inform the Senate that this House have agreed to the Amendments to the said Bill, and that the same is amended accordingly.

A Copy of certain Resolutions of the Honorable the Senate, delivered by Henry Wisner Esquire, was read, and is in the Words following, viz.

"In Senate, February 24, 1779.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in the Resolution of the 19th Instant, respecting the Payment of a Detachment of Militia from Connecticut, for their Services in the Precinct of Rhinebeck, in October 1777.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in the Resolution of the 20th Instant, respecting the carrying on offensive Operations against the Enemy to the Westward.

"Resolved, That Mr. R. Morris, Mr. Roosevelt and Mr. Stoutenburg, be a Committee to join with a Committee of that Honorable House, to draft a Letter to be signed by the President of the Senate, and the Speaker of the House of Assembly, to the Delegates from this State at Congress, upon the subject Matter of the preceding Resolution."

Ordered, That Mr. Benson, Mr. Tayler and Mr. L'Hommedieu, be a Committee to join with the Committee of the Honorable the Senate above mentioned, to prepare a Draft of such Letter as above mentioned.

Another Message was received from the Honorable the Senate, by Mr. Wisner, That the Senate have passed the Bill, entitled, "*An Act to continue to the Person administering the Government*"

Government of this State, the Power of appointing the Place for holding the Supreme Court," with the Amendment therewith delivered.

The said Bill and Amendment being read, the Amendment was agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Jay and Mr. Baker, carry back the said Bill to the Honorable the Senate, and inform the Senate that this House have agreed to the Amendment to the said Bill, and amended the same accordingly.

A Message was received from the Honorable the Senate, by Alexander Webster, Esquire, with the two following Bills. That the Senate have passed the Bill, entitled, "*An Act to cancel certain Bills of Credit of this State,*" without Amendment.

And that the Senate have passed the Bill, entitled, "*An Act to allow to Sheriffs and Constables, an Increase of Fees,*" with the Amendment therewith delivered.

The said Bill and Amendment being read, and the Amendment agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Jay and Mr. Baker, carry back the said Bill to the Honorable the Senate, and inform the Senate, that this House have agreed to the Amendment to the said Bill, and that the same is amended accordingly.

Mr. Birdsell from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State,*" reported, that the Committee had made further Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Mr. Honeywell moved for Leave to bring in "*a Bill to prevent Supplies of Provisions to the Enemy,*"

Ordered, That Leave be given accordingly.

Mr. Honeywell accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. February 25, 1779.

THE House met pursuant to Adjournment.

The Bill, entitled, "*An Act more effectually to ascertain the Damages sustained by the Inhabitants of this State, occasioned by the Depredations of the Enemy, and for the better securing the Property of the said Inhabitants, in the Time of an Invasion,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon.*" was read a second Time, and committed to a Committee of the whole House.

Mr. Benson moved that the House do agree to the following Recitals, and Resolution thereon, viz.

"Whereas this House did, on the fourth Day of November last, by Resolution sent the same Day to the Honorable the Senate, assert their Claim to the exclusive Privilege of originating all Money Bills in the Legislature, and to which Resolution, that Honorable House hath not as yet, transmitted to this House any Answer.

"And whereas this House, apprehensive that a Concurrence on the Part of this House, to Amendments from that Honorable House to Money Bills, subsequent to the said Resolution, might be drawn into farther precedent, to the Prejudice of the said Claim; and unwilling, notwithstanding that the public Business should not, at this critical Juncture, be interrupted by a Controversy between the two Houses, respecting the said Claim, did by Resolution, passed on the 23d Instant, propose to take into Consideration, the Amendments from the Honorable the Senate to Money Bills, and concur in such of them as might be conceived proper, provided that Honorable House would previously Consent, that such Proceedings on the Part of this House, might not be drawn into Precedent, to prejudice their said Claim, until a more convenient Opportunity should offer for the Discussion thereof.

"And whereas the Honorable the Senate, have in Answer to the said Proposal on the Part of this House, only declared, after asserting their Right, equally with this House to amend Money Bills, that they were so wholly occupied in Matters respecting the immediate Safety of this State, that they could not in Justice to their Constituents, then give the said Resolution of this House, of the 23d Instant, any farther Consideration; and the farther Consideration thereof, was accordingly deferred until a more convenient Opportunity.—And whereas it is absolutely necessary, for the public Safety, that the several Money Bills, and especially the Tax Bill, now before the Legislature, should be forthwith passed into Laws."

Resolved therefore, That this House, induced solely by the Motives of Necessity, will proceed to take into Consideration, the Amendments from the Honorable the Senate, to Money Bills, and will concur in such of them as may be deemed proper, expressly saving to themselves, nevertheless their Right to such Claim as aforesaid; and positively protesting, that such Proceedings on the Part of this House, shall not be drawn into precedent to Prejudice their said Claim, until a more convenient Opportunity will be afforded for the Discussion of the said Claim.—Debates arose on the said Motion, and the Question being put, it passed in the Affirmative, in Manner following, *viz.*

For the Affirmative.

Mr. Brather,	Mr. Waggoner,	Mr. Tayler,	Mr. Smith,	Mr. Baker.	Mr. Honeywell,
Mr. B. Coe,	Mr. Bell,	Mr. Rea,	Mr. Williams,	Mr. Swartwout,	Mr. Duncomb,
Mr. Cantine,	Mr. Bancker,	Mr. Whiting,	Mr. Tredwell,	Mr. Benedict,	Mr. T. Crane.
Mr. Dodge,	Mr. J. Clark,	Mr. Boerum,	Mr. Lott,	Mr. Berrien,	Mr. Harpur,
Mr. Ogilvie,	Mr. Gordon,	Mr. J. Coe,	Mr. Morehouse,	Mr. Schoonmaker,	Mr. Benson,
Mr. Newkerk,	Mr. K. Van Rensselaer,	Mr. Miller,			

For the Negative

Mr. Wickes,	Mr. L'Homedieu,	Mr. Hoffman,	Mr. Jay.
Mr. Gelston,	Mr. Van Houten,	Mr. Mills,	

Thereupon, *Resolved*, That this House do agree to the said Recitals and Resolution.

Resolved, That the said Recitals and Resolution, be, and the same are hereby declared to be the Act of this House.

Ordered, That Mr. Gelston and Mr. Harpur, carry a Copy of the same to the Honorable the Senate.

A Message was received from the Honorable the Senate, by *Abraham Yates, jun. Esq.* That the Senate have passed the Bill, entitled, "*An Act enabling the Corporation of the City of Albany, to hold a Common Council in Case of the Sickness or Absence of the Mayor; and enabling the Aldermen of the said City, or any three of them, in such Case, to hold a Mayor's Court,*" and request the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

The House then proceeded to the Consideration of the Amendments made by the Honorable the Senate, to the Bill, entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigencies of this State,*" The Bill with the several Amendments thereto, were read and considered. Thereupon,

Resolved, That this House do not concur with the Honorable the Senate, in their Amendment to the said Bill, which consists in expunging the Words *Six-Pence*, in the Tax on personal Estate, throughout the Bill, and inserting *One Shilling* in the Stead thereof.

Resolved, That this House do concur with the Honorable the Senate, in their other Amendments to the said Bill.

Ordered, That Mr. Gelston and Mr. Harpur, carry a Copy of the two last preceding Resolutions, with the said Bill, to the Honorable the Senate.

The House then proceeded to the Consideration of the Amendments made by the Honorable the Senate, to the Bill entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns within this State.*"

The Bill with the several Amendments thereto, were read, and agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Gelston and Mr. Harpur, carry back the said Bill to the Honorable the Senate, and inform the Senate, that this House have agreed to their Amendments to the said Bill, and amended the same accordingly.

Mr. Boerum, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to prevent certain Inconveniencies which may result to this State, by reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation,*" reported, that the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments be engrossed.

Mr. Morehouse, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to divide the District of the Manor of Rensselaerwick, in the County of Albany, into two Districts,*" reported, that the Committee had gone through the said Bill, and made some Amendments thereto, which they had directed him to report to the House and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments be engrossed.

The Honorable the Senate returned by *Abraham Yates, jun. Esquire*, the four following Bills, *viz.*

The Bill entitled, "*An Act to prohibit the distilling of spirituous Liquors from Grain.*"

The Bill entitled, "*An Act for procuring an immediate Supply of Flour for the Army.*"

The Bill entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court.*" And,

The Bill entitled, "*An Act to allow to Sheriffs and Constables, an Increase of Fees.*"

Ordered, That Mr. Gelston and Mr. Harpur, carry the said four Bills, and also the Bill, entitled, "*An Act to cancel certain Bills of Credit of this State,*" to the Honorable the Council of Revision.

A Copy of a Resolution of the Honorable the Senate, delivered (with the Bill therein mentioned) by Sir James Jay, was read, and is in the Words following, viz.

"In Senate, February 25, 1779.

"Resolved, That this Senate do recede from their Amendment to the Bill, entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigences of this State,*" which consists in expunging the Words *Six Pence*, in the Tax on personal Estates throughout the Bill, and inserting *One Skilling* instead thereof."

Ordered, That the said Bill be amended agreeable to the Amendments made thereto, by the Honorable the Senate, and agreed to by this House.

Ordered, That Mr. Gelston and Mr. Harpur, carry back the said Bill to the Honorable the Senate, and inform that Honorable House, that the said Bill is amended accordingly.

The Bill entitled, "*An Act to prevent Supplies of Provisions to the Enemy,*" was read a second Time, and committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. February 26, 1779.

THE House met pursuant to Adjournment.

A Petition of Samuel Hake, was read, praying to be notified if any Matter under Consideration, by the Legislature, will affect him, with Respect to some Goods, Wares and Merchandize, by him lately brought out of the City of New-York.

Ordered, That the said Petition lay on the Table.

The engrossed Bill, entitled, "*An Act to prevent certain Inconveniences which may result to this State, by Reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to divide the District of the Manor of Rensselaerwyck, in the County of Albany, into two Districts,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. K. Van Rensselaer and Mr. Waggoner, carry the said two Bills to the Honorable the Senate, for Concurrence.

The Honorable the Senate returned by Arthur Parks, Esquire, the Bill entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigencies of this State;*" And,

The Bill entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns, within this State.*"

Ordered, That Mr. K. Van Rensselaer and Mr. Waggoner, carry the two last mentioned Bills to the Honorable the Council of Revision.

Mr. Boerum, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to confiscate and make Sale of all the real and personal Property of the Enemies of this State,*" reported, that the said Committee had gone through the Bill, made several Amendments thereto, and altered the Title; that the altered Title is in the Words following, viz. "*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect of all Property within the same,*" which Report he read in this Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments be engrossed.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by the Chancellor, was read, and is in the Words following, viz.

"In Council of Revision, February 26, 1779.

"Resolved, That it doth not appear improper to the Council, that the Bill entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court,*" and the Bill entitled, "*An Act to cancel certain Bills of Credit in this State,*" should become Laws of this State."

On Motion of Mr. Hoffman, Ordered, That two other Members be appointed of the Committee (instead of Mr. Ward and Mr. Van Horne, now are absent) on the Petition of Brinton Paine, delivered to this House on the twenty-second Day of October last: And that Mr. Dodge and Mr. Cantine be, and are hereby appointed, of the said Committee on the said Petition, with Mr. Hoffman.

Then

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. February 27, 1779.

THE House met pursuant to Adjournment.

A Petition of *Jesse Brush*, *Titus Conklin*, *Thomas Brush*, *Isaiab Whitman* and *Samuel Allen*, Refugees from Parts of the State now in the Power of the Enemy,—Complainin of the Conduct of the Commissioners of Sequestration, in letting at Rent, the Farms formerly occupied by disaffected Persons gone over to the Enemy, and praying Relief, was read.

A Petition of *Daniel Bennett* and *Peter Riker*, Refugees from Places in the Power of the Enemy, to the like Purpose, and praying that they may have the Use of the Farm where they reside, which is now occupied for the Benefit of *John Thomas*, or that they may be indulged with the Possession of the Farm on which the said *John Thomas* now resides, was also read.

Ordered, That the said Petitions be committed to a Committee, and that Mr. Tayer, Mr. Cantine and Mr. Jay, be a Committee for that Purpose.

A Memorial of *William Bedlow*, was read, setting forth, that in 1776, while he was Commissioner at the Works for obstructing the Navigation of *Hudson's-River*, at *Pollepel's Island*, there arose by some Accident, a Deficiency of the Sum of Seventy Pounds New-York Money, of the Cash in his Hands for carrying on the said Works; and praying Relief in the Premises.

Ordered, That the said Memorial be committed to a Committee, and that Mr. Benson, Mr. J. Clark and Mr. B. Coe, be a Committee for the Purpose.

Mr. Benson moved for Leave to bring in "a Bill for the more speedy Trial of Felonies."

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

The Bill entitled, "An Act enabling the Corporation of the City of Albany, to hold a Common Council, in Case of the Sickness or Absence of the Mayor, and enabling the Aldermen of the said City, or three of them, in such Case, to hold a Mayor's Court," was read a second Time.—Mr. Speaker put the Question, Whether the said Bill shall be committed to a Committee of the whole House? And it was carried in the Negative.

Resolved therefore, That the said Bill be rejected.

Ordered, That Mr. Dodge, Mr. Wickes and Mr. Benson, or a Majority of them, be a Committee to enquire into and report on all Violations of the "Act to prevent the Exportation of Flour, Meal and Grain, out of this State," and that the said Committee, or a Majority of them have Power to send for Persons and Papers.

A Message was received from the Honorable the Senate, by Sir Jams Jay, with the Bill therein mentioned, that the Senate have passed a Bill, entitled, "An Act to enable the Recovery of Continental Demands, and for punishing the Misbehaviour of Persons in the Continental Employ," and request the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Mr. Schoonmaker, from the Committee to whom were referred his Excellency the Governor's Message, of the eighteenth instant, accompanied with a Resolution of Congress of the eighth Instant, and a Letter from the President, requesting the Legislature to afford such Supplies of Flour and Provisions, for the distressed Inhabitants of the State of *Rhode-Island* and *Providence Plantations*, as the Circumstances of this State will admit, brought in the Report of the said Committee, which was read and agreed to by the House.

Thereupon, Resolved, That his Excellency the Governor be requested to transmit to Congress, a Copy of the Resolutions of both Houses of the Legislature of this State, passed on the 11th and 13th Instant, in Consequence of the Application, made to the Legislature, by the Honorable the President of the State of *Massachusetts-Bay*, and his Excellency the Governor of the State of *Rhode-Island*, for the Exportation of Flour out of the State, for the Support of the distressed Inhabitants of the said States.

Ordered, That Mr. Swartwout and Mr. Boerum, carry a Copy of the above Report and Resolution to the Honorable the Senate, for Concurrence.

A Petition of many of the Officers of the Militia, in *Kings District*, was read, setting forth, that the Militia under their Command, have been more frequently called on military Duty, than the Exempt Inhabitants of the said District, and praying Relief in the Premises.

Ordered, That Mr. Schoonmaker, Mr. Swartwout and Mr. Gordon, be a Committee to revise the Militia Laws of this State, and report Amendments, if the same shall be conceived necessary.—And that the said Petition be referred to the said Committee.

Then the House adjourned until nine o'Clock on Monday Morning.

MONDAY,

MONDAY, 9 o'Clock, A. M. March 1, 1779.

THE House met pursuant to Adjournment.

A Petition of *John Henry*, Store-keeper of the Clothing, purchased on Account of the five Continental Battalions, raised under the Direction of this State, respecting his Salary, was read.

Ordered, That the said Petition be committed to a Committee, and that Mr. *Brasber*, Mr. *Whiting* and Mr. *Gordon*, be a Committee for that Purpose.

Mr. *Lott* from the Committee of the whole House, to whom were committed the two following Bills, reported, that the said Committee had gone through the Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester,*" and made several Amendments thereto, which they had directed him to report to the House; And, That the said Committee had gone through the Bill, entitled, "*An Act to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon,*" and made several Amendments thereto, which they had also directed him to report to the House, and he read the Report in his Place, and delivered the said Bills and their respective Amendments, in at the Table, where the same were again respectively read, and agreed to by the House.

Ordered, That the said Bills, with their respective Amendments be engrossed.

Mr. *Williams*, from the Committee to whom were referred the Accounts of *Dirck Brinckerhoff*, jun. brought in their Report, which was read, and agreed to by the House.

Thereupon Resolved, That this House will not make any special Provision, for the Settlement of the Accounts of *Dirck Brinckerhoff*, jun. as Commissioner to have the Superintendence of certain Poor, removed from the City of *New-York* to the County of *Dutchess*, and that the said Accounts be passed in the ordinary Mode, upon the audit of the Auditor-General of this State.

Resolved, That agreeable to the Request of the said *Dirck Brinckerhoff*, jun. another Person be appointed in his Stead, to have the Superintendence of the said Poor, and be empowered to receive from him, such Provisions as he may have purchased, and are on Hand, for the Use of the said Poor.

Ordered, That a Clause be added to the Bill, entitled, "*An Act for the Payment of the Salaries, of the several Officers of Government, and for other Purposes therein mentioned,*" for carrying the last above mentioned Resolution into Execution.

The engrossed Bill, entitled, "*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same,*" was read the third Time.

Resolved, That the Bill do pass.

By unanimous Consent of the House, the engrossed Bill, entitled, "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester,*" was read the third Time.

Resolved, That the Bill do pass.

By like unanimous Consent of the House, the engrossed Bill, entitled, "*An Act to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Benson* and Mr. *Morehouse*, carry the three last mentioned Bills to the Honorable the Senate, for Concurrence.

Then the House adjourned until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. March 2, 1779.

THE House met, pursuant to Adjournment.

Resolved, if the Honorable the Senate shall concur herein, That the Legislature, when they adjourn at their present Meeting, will adjourn to meet at *Kingston*, in *Ulster* County, or at such other Place, as the Person administering the Government of this State for the Time being, shall direct and appoint.

Ordered, That Mr. *Hoffman* and Mr. *Lockwood*, carry a Copy of the above Resolution to the Honorable the Senate, for Concurrence.

A Message received from his Excellency the Governor, by Mr. *Lush*, his private Secretary, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,
"I herewith transmit to you an Account of Expenditures, for Expresses and other contingent Charges, and of Monies advanced by me, pursuant to your concurrent Resolutions, and a Law of this State. The Account is accompanied with the proper Vouchers, except

except in a few Instances for small Sums, depending upon Receipts and Entries in my Books, which will be open to your Inspection.

Poughkeepsie, March 2d, 1779.

GEO. CLINTON."

Ordered, That his Excellency's said Message, and the Accounts and Vouchers accompanying the same, be committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House, on his Excellency the Governor's said Message, and the Accounts and Vouchers accompanying the same; and after some Time spent thereon, Mr. Speaker resumed the Chair, and Mr. *Brasher* from the said Committee, reported, that the said Committee had agreed to the following Resolution, which they had directed him to report to the House, viz.

"Resolved, That it is the Opinion of this Committee, that there be allowed to his Excellency the Governor, the Sum of One Thousand Two Hundred and Four Pounds, Ten Shillings and Six-Pence, in Discharge of the Balance due on his Account against the State, for Contingencies, from *August* 1777, to the 1st day of *March*, 1779, both inclusive, and transmitted to the Legislature with the above Message," which Report he read in his Place, and delivered in at the Table, where the same was again read, and agreed to by the House.

Resolved, That the House do agree with their Committee, in the said Report.

Ordered, That a Clause for Payment of the said Balance, due to his Excellency, be added to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" and that the Committee who were appointed to prepare and bring in the said Bill, do also prepare and bring in such Clause.

The Bill entitled, "*An Act to enable the Recovery of Continental Demands, and for punishing the Misbehaviour of Persons in Continental Employ,*" was read a second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by Sir *James Jay*, with the Bill therein mentioned, that the Senate have passed the Bill, entitled, "*An Act to prevent certain Inconveniencies which may result to this State, by reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation,*" with two Amendments therewith delivered.

The Bill and Amendments being read, the House proceeded to the Consideration thereof—And the said two Amendments being severally read a second Time, and the Question put on each respectively, they passed in the Negative.

Resolved therefore, That this House do not concur with the Honorable the Senate, in their Amendments to the said Bill.

Ordered, That Mr. *Dodge* and Mr. *Honeywell*, carry back the said Bill, with a Copy of the above Resolution, to the Honorable the Senate.

A Copy of a Resolution of the Honorable the Senate, delivered by Sir *James Jay*, was read, and is in the Words following, viz.

"In Senate, March 1, 1779.

Resolved, If the Honorable House of Assembly concur herein, That the Delegates from this State, be and they are hereby instructed to exert their Endeavours, that an accurate Enquiry be made, in full Congress, into the respective Conduct of the Honorable *Arthur Lee* and *William Lee*, and *Silas Deane*, Esquires, in Europe; and that the Proceedings respecting the same, be committed to Writing, together with the Votes of the several States and Delegates of the several States, on the several Motions, which have already been made in Congress, or in any Committee of Congress, on the said Business, since Mr. *Deane's* Arrival, and which may hereafter be made. And the said Delegates are hereby farther instructed, to transmit Copies of the said Proceedings to his Excellency the Governor, to be laid before the Legislature, at their next Meeting.

Ordered, That the Consideration of the said Resolution, be postponed.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by the Chancellor, was read, and is in the Words following, viz.

"In Council of Revision, March 2, 1779.

"Resolved, That it does not appear improper to the Council, that the Bill entitled "*An Act for raising Monies by Tax, to be applied towards the public Exigences of this State,*"

The Bill entitled, "*An Act to prohibit the distilling of spirituous Liquors from Grain,*"

The Bill entitled, "*An Act to allow to Sheriffs and Constables, an Increase of Fees;*" And

The Bill entitled, "*An Act to lay a Duty of Excise on strong Liquors, to appropriate the Monies arising therefrom, and for the better Regulation of Inns and Taverns, within this State,*" should become Laws of this State.

Mr. *Miller*, from the Committee of the whole House, to whom were referred the two following Bills, reported, that the said Committee had gone through the Bill, entitled

"An

An Act making it Felony without Benefit of Clergy, to counterfeit or pass, knowing the same to be Counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States, or by the Authority of this or any other of the United States," without Amendment.

That the Proceedings in the said Committee, on the Bill, entitled "*An Act to procure a further Supply of Shoes and Stockings, for the Use of the Troops raised under the Direction of this State,*" had been in Manner following, viz. "That the said Bill being read through, on reading the same again by Paragraphs, Mr. L'Hommedieu moved, that the Quotas of Shoes and Stockings to be furnished by Dutchess County, be 550 Pair of Stockings, and 475 Pair of Shoes—That Mr. Gordon moved as an Amendment, that the Quotas to be collected in Dutchess County, be 700 Pair of Stockings, and 600 Pair of Shoes.—That Debates arose thereon, and the Question being put on the said proposed Amendment, it passed in the Affirmative, in Manner following, viz.

For the Affirmative,

Mr. Gordon,
Mr. Gelfon,
Mr. Snyder,
Mr. Bell.

Mr. Waggoner,
Mr. K. Van Rensselaer,
Mr. Harpur,
Mr. J. Coe,

Mr. Brasher,
Mr. Ogilvie,
Mr. Speaker,
Mr. B. Coe,

Mr. Whiting,
Mr. Tayler,
Mr. Mills,
Mr. Benedict,

Mr. Rea,
Mr. Cantine,
Mr. Smith,
Mr. J. Clark.

For the Negative.

Mr. Lockwood,
Mr. Dodge,
Mr. Bancker,

Mr. Dunscomb,
Mr. Birdsell,
Mr. Van Houten,

Mr. Swartwout,
Mr. L'Hommedieu,
Mr. Jay,

Mr. Hoffman,
Mr. Lott,
Mr. T. Crane,

Mr. Baker,
Mr. Boerum,
Mr. Honeywell,

Mr. Morehouse.

That the Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the said two Bills, and the Amendments to the last mentioned Bill, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said two Bills, with the Amendments to the last mentioned Bill, be engrossed.

A Copy of a Resolution of the Honorable the Senate, delivered by Isaac Stoutenburgh, Esq; was read, and is in the Words following, viz.

"In Senate, March 2, 1779.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of the 27th ult. on his Excellency the Governor's Message, of the 18th ult. respecting an Application for Exportation of Flour out of this State, for the Support of the distressed Inhabitants of the State of Rhode-Island and Providence Island Plantations."

Ordered, That Mr. Dodge and Mr. Honeywell, carry a Copy of the said Resolution of this House, of the 27th ult. and of the above Resolution of Concurrence, to his Excellency the Governor.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. March 3, 1779.

THE House met pursuant to Adjournment.

The Bill entitled "*An Act for the more speedy Trial of Felonies,*" was read a second Time, and committed to a Committee of the whole House.

Mr. Brasher from the Committee to whom was referred the Petition of John Nicoll and others, brought in the Report of the said Committee, which being read, was agreed to by the House. And thereupon,

Resolved, That in the Opinion of this House, John Nicoll and others, Inhabitants of the Precincts of Newburgh and New-Windsor, in the County of Ulster, and of the Precinct of Cornwall, in Orange County, who have prayed for Relief, for the Damages they have respectively sustained in Timber, taken for obstructing the Navigation of Hudson's River, ought to apply for Compensation to the Officer who commanded in the Department at the Time the said Petitioners sustained the Damages complained of.

Ordered, That the Clerk of this House transmit a Copy of the above Resolution to the said John Nicoll, and the other Petitioners.

A Message was received from the Honorable the Senate, by Henry Wisner, Esq; That the Senate have passed the three following Bills, viz.

A Bill entitled, "*An Act to amend an Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State.*"

A Bill entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State;*" And,

A Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, public Highways and private Roads, in the County of Orange;*" and that the Senate request the Concurrence of this House to the said Bills respectively.

The said Bills were respectively read the first Time, and ordered a second Reading.

Mr.

Mr. B. Coe, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to enable the Recovery of Continental Demands, and for punishing the Misbehaviour of Persons in Continental Employ,*" reported, that the said Committee had gone through the said Bill without Amendment, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

The said Bill being then read a third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hoffman and Mr. Lockwood, return the said Bill to the Honorable the Senate, and inform the Senate, that this House have passed the said Bill without Amendment.

Mr. Brasfer, from the Committee to whom was referred the Petition of John Henry, Store-keeper of the Clothing Store of this State, praying an Augmentation of the Allowance for his Services in that Station, brought in the Report of the said Committee, which being read, was agreed to by the House. And thereupon,

Resolved, That there be allowed to John Henry, Commissary of the Clothing Store of this State, beyond the Sum of Ten Shillings per Day, heretofore allowed to him, the further Sum of One Hundred and Fifty Pounds, for his Services in that Station; and that there be allowed to the said John Henry, the further Sum of Fourteen Pounds Nineteen Shillings and Five-Pence, for contingent Expences at different Times attending the Removal of the said Store.

Mr. Benson then moved for a Resolution in the Words following, viz.

Resolved, That it is unnecessary that a Person should be employed to have the Direction of the Clothing Store of this State, besides the Commissary to purchase Clothing; and therefore that John Henry be dismissed from his Office of Chief Director or Commissary of the Clothing Store of this State, and that he deliver over such Clothing as he may have in his Possession, to Peter T. Curtenius, Esq; Commissary to purchase Clothing for this State.

Debates arose on the said Motion, and the Question being put thereon, it passed in the Affirmative, in the Manner following, viz.

For the Affirmative.

Mr. Dodge,	Mr. Benson,	Mr. B. Coe,	Mr. Bancker,	Mr. Baker,	Mr. Honeywell,
Mr. Bell,	Mr. L'Hommiedieu,	Mr. Williams,	Mr. Swartwout,	Mr. Miller,	Mr. Mills,
Mr. Van Houten,	Mr. Gelston,	Mr. Whiting,	Mr. J. Coe,	Mr. T. Crane,	Mr. Lockwood,
Mr. Waggoner,	Mr. Tayler,	Mr. Wickes,	Mr. Birdfall,	Mr. Schoonmaker,	Mr. J. Clark,
Mr. K. Van Rensselaer,	Mr. Gordon,	Mr. Cantine,	Mr. Hoffman,	Mr. Benedict,	Mr. Snyder.
Mr. Morehouse,	Mr. Jay,				

For the Negative.

Mr. Brasfer,	Mr. Harpur,	Mr. Lott,	Mr. Dunscomb,	Mr. Smith,	Mr. Rea
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Thereupon, *Resolved*, That it is unnecessary that a Person should be employed to have the Direction of the Clothing Store of this State, besides the Commissary to purchase Clothing; and therefore that John Henry be dismissed from his Office of Chief Director or Commissary of the Clothing Store of this State; and that he deliver over such Clothing as he may have in his Possession, to Peter T. Curtenius, Esquire, Commissary to purchase Clothing for this State.

Ordered, That a Clause or Clauses be added to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" for carrying the two last Resolutions into Execution; and that the Committee appointed to prepare and bring in the said Bill, do also prepare and bring in the said Clause or Clauses.

Mr. Tayler moved for Leave to bring in "*a Bill to repeal an Act exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief, in Cases where two Persons have jointly procured a Man to enlist.*"

Ordered, That Leave be given accordingly.

Mr. Tayler according to Leave brought in the said Bill, which was read the first Time, and ordered a second Reading.

By unanimous Consent of the House, the three following Bills, viz. The Bill entitled, "*An Act to amend an Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State;*" The Bill entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State;*" And, the Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, public Highways and private Roads, in the County of Orange,*" were respectively read the second Time, and committed to a Committee of the whole House.

Resolved, That this House will To-Morrow, Resolve itself into a Committee of the whole House, to consider what further or other Provision shall be made for the five Continental Battalions, raised under the Direction of this State.

Then

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. March 4, 1779.

THE House met pursuant to Adjournment.

Two Copies of a Petition of *Eliba Marvin*, and fifty-five other Persons, Inhabitants of the Precinct of *Cornwall*, in *Orange County*, were read—Complaining of the Depreciation of the Continental Currency, occasioned among other Things (as is therein alledged) by supplying the Continental Army on Commission, and recommending a Regulation of Trade and Traders, the giving Encouragement to the Continental Battalions raised under the Direction of this State, the passing of a Confiscation Law, the keeping up a Communication with Congress and the Members of this State in Congress, and instructing the Delegates of this State at Congress—and the providing of a Remedy against any Trade or Traffic with the Enemy.

Ordered, That the said Petition be committed to a Committee of the whole House.

The engrossed Bill, entitled, "*An Act making it Felony without Benefit of Clergy, to counterfeit or to pass, knowing the same to be Counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States, or by the Authority of this or any other of the United States,*" was read the third Time.

Mr. Speaker put the Question, Whether the Bill shall pass? Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Dodge,	Mr. K. Van Rensselaer,	Mr. Benson,	Mr. Gordon,	Mr. Smith,	Mr. Van Houten,
Mr. Waggoner,	Mr. L'Hommédieu,	Mr. Boerum,	Mr. Lott,	Mr. Swartwout,	Mr. Morehouse,
Mr. Gelston,	Mr. Ogilvie,	Mr. Williams,	Mr. T. Crane,	Mr. Benedict,	Mr. J. Coe,
Mr. Bell,	Mr. Schoonmaker,	Mr. J. Clark,	Mr. Jay,	Mr. Harpur,	Mr. Brasher,
Mr. Bancker,	Mr. Mills,	Mr. Lockwood,	Mr. Danscomb,	Mr. B. Coe,	Mr. Miller,
Mr. Snyder,	Mr. Wickes,	Mr. Tayler,	Mr. Birdfall,	Mr. Baker,	

For the Negative.

Mr. Whiting.

Thereupon, *Resolved*, That the Bill do pass.

The engrossed Bill, entitled "*An Act to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Whiting and Mr. Wickes, carry the said two Bills to the Honorable the Senate, for Concurrence.

A Copy of a Resolution of the Honorable the Senate, delivered by *Levi Pawling*, Esq; was read, and is in the Words following, viz.

"In Senate, March 4, 1779.

"*Resolved*, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of the second Instant, that the Legislature, when they adjourn at their present Meeting, will adjourn to meet at *Kingston*, in *Ulster County*, or at such other Place as the Person administering the Government of this State for the Time being, shall direct and appoint."

A Copy of a Resolution of the Honorable the Senate, delivered with the Bill therein mentioned, by *Dirck W. Ten Broeck*, Esq; was read, and is in the Words following, viz.

"In Senate, March 4, 1779.

"*Resolved*, That this Senate do recede from their Amendments to the Bill, entitled, "*An Act to prevent certain Inconveniencies which may result to this State, by reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation.*"

Ordered, That Mr. Wickes and Mr. Whiting, carry the said Bill to the Honorable the Council of Revision.

A Message was also received from the Honorable the Senate, by *Dirck W. Ten Broeck*, Esq; That the Senate have passed the Bill, entitled, "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned,*" with the Amendments therewith delivered.

The Bill and Amendments being read, the House proceeded to the Consideration thereof—and the said Amendments being severally read a second Time, and the Question put on each Amendment respectively.

Resolved, That this House do not concur in the Amendment to the said Bill, which consists in expunging in the second enacting Clause and third Line, from the Word *Bonds* to the Word *shall*, and inserting in their Stead, the Words in the said Amendment for that Purpose mentioned.

Resolved, That this House do concur with the Honorable the Senate, in the other Amendments to the said Bill.

Ordered, That Mr. *Whiting* and Mr. *Wickes*, carry a Copy of the two above Resolutions, together with the said Bill, to the Honorable the Senate.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, to consider of what further or other Provision shall be made for the five Continental Battalions raised under the Direction of this State, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Van Houten*, from the said Committee reported, that the Committee had agreed to the following Resolutions, viz.

"Resolved, That it is the Opinion of this Committee, that there be allowed to each Commissioned Officer of the five Continental Battalions, raised under the Direction of this State, and to the Surgeons and Surgeon's Mates, of the said five Battalions, and to the Reverend *John Gano*, now serving as Chaplain to the said Battalions, in Lieu of Necessaries heretofore furnished for the said Battalions, the Sum of Thirty Pounds.

"Resolved, That it is the Opinion of this Committee, that there be allowed to each Non-commissioned Officer and Private Soldier, in the said five Continental Battalions, raised under the Direction of this State, in Lieu of such Necessaries as aforesaid, the Sum of Five Pounds; And,

"Resolved, That it is the Opinion of this Committee, that there be advanced to *Peter T. Curtenius*, Esq; the Sum of Fifteen Thousand Pounds, to purchase Clothing for the five Continental Battalions, raised under the Direction of this State."

Which Report he read in his Place, and delivered in at the Table, where the same was again read, and agreed to by the House.

Ordered, That proper Clauses be added to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned*," for carrying the three last Resolutions into Execution; and that the Committee who prepared and brought in the said Bill, prepare and bring in such Clauses.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by Mr. *Justice Yates*, was read, and is in the Words following, viz.

"In Council of Revision, March 4, 1779.

"Resolved, That it does not appear improper to this Council, that the Bill entitled "*An Act to prevent certain Inconveniencies which may result to this State, by Reason that the Emissions of Continental Currency of May 20th, 1777, and April 11th, 1778, are called out of Circulation*," should become a Law of this State.

Then the House adjourned until eight o'Clock To-Morrow Morning.

F R I D A Y, 8 o'Clock, A. M. March 5, 1779.

THE House met pursuant to Adjournment.

A Message from his Excellency the Governor, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I think it my Duty to lay before you the Petitions, accompanying this Message, from the Inhabitants of *Tryon County*, and of *Marble-Town* and *Rocheester*, in *Ulster County*, representing the exposed Situation of the Western Frontier of this State.

Poughkeepsie, March 5th, 1779.

G E O. C L I N T O N."

The several Petitions, referred to in his Excellency the Governor's said Message, were also read.

Resolved, That the said Message and the several Petitions therein referred to, be committed to a Committee of the whole House, and that the same be taken into Consideration, together with the Bill entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State*."

A Petition of *Jacob Concklin* and *Samuel Clark*, for the Reasons therein set forth, praying among other Things, that the hearing of the controverted Election, between *Andries Bevier* and *Thomas Palmer*, Esquires, may be postponed from the second Tuesday in March next until the second Day of the next Meeting of this House.

Ordered, That the said Petition be committed to a Committee, and that Mr. *Van Houten*, Mr. *Duncomb* and Mr. *Benson*, be a Committee for that Purpose.

A Message was received from the Honorable the Senate, by *Abraham Yates*, jun. Esq. with the Bill therein mentioned, That the Senate have passed the Bill, entitled, "*An Act to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon*," without Amendment.

Ordered, That Mr. *Smith* and Mr. *Baker*, carry the said Bill, to the Honorable the Council of Revision.

A Message was also received from the Honorable the Senate, by *Abraham Yates*, jun. Esq. with the Bill therein mentioned. That the Senate have passed the Bill, entitled, "*An Act*"

to divide the District of the Manor of Rensselaerwyck, in the County of Albany, into two Districts," with the Amendment therewith delivered.

The Bill and Amendment being read, the House proceeded to the Consideration thereof, And the Amendment being read a second Time, was agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Smith and Mr. Baker, return the said Bill to the Honorable the Senate, and inform the Senate, that this House have agreed to their Amendment to the said Bill, and amended the same accordingly.

Mr. Williams, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to amend an Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State,*" reported, that the said Committee had gone through the said Bill, made several Amendments and added several Clauses, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill, and Amendments and Clauses, in at the Table, where the same were again read, and agreed to by the House.

The said Bill being then read a third Time.

Resolved, That the Bill as amended, do pass.

Ordered, That Mr. Smith and Mr. Baker, carry the said Bill, with the Amendments, to the Honorable Senate, and inform the Senate, that this House have passed the same, with the Amendments therewith delivered.

A Copy of a Resolution of the Honorable the Senate, delivered by Ebenezer Russell, Esq; was read, and is in the Words following, viz.

"In Senate, March 5, 1779.

"Resolved, That this Senate do recede from their Amendment to the Bill, entitled, "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned,*" in which the Honorable the House of Assembly do not concur."

Ordered, That the said Bill be amended agreeable to the Amendments, before concurred in by this House.

Ordered, That Mr. Smith and Mr. Baker, carry back the said Bill as amended, to the Honorable the Senate, and inform the Senate, that this House have amended the same, agreeable to the Amendments thereto made by that Honorable House, and concurred in by this House.

Mr. Russell also returned from the Senate, the Bill, entitled, "*An Act to divide the Manor of Rensselaerwyck, in the County of Albany, into two Districts.*"

Ordered, That Mr. Smith and Mr. Baker, carry the last mentioned Bill to the Honorable the Council of Revision.

A Copy of a Resolution of the Honorable the Council of Revision, transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

"In Council of Revision, &c. March 5, 1779.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act to enable the Recovery of the Continental Demands, and for punishing the Misbehaviour of Persons in Continental Employ,*" should become a Law of this State.

A Message from the Honorable the Senate, was delivered by Alexander Webster, Esq; with the Bill therein mentioned. That the Senate have passed the Bill, entitled, "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester,*" with the Amendments therewith delivered.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by Mr. Justice Yates, was read, and is in the Words following, viz.

"In Council of Revision, &c. March 5, 1779.

"Resolved, That it does not appear improper to this Council, that the following Bills, viz. The Bill entitled, "*An Act for procuring an immediate Supply of Flour for the Army;*" The Bill entitled, "*An Act to divide the District of the Manor of Rensselaerwyck, in the County of Albany, into two Districts;*" And, the Bill entitled, "*An Act to amend an Act for the better laying out, regulating and keeping in Repair, the public Roads and Highways, in the City and County of Albany, and County of Tryon;*" should become Laws of this State."

Mr. Hoffman, from the Committee of the whole House, to whom were committed the two following Bills, reported, that the Committee had gone through the Bill, entitled, "*An Act to repeal an Act entitled, an Act for exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief, where two Persons have jointly procured a Man to enlist;*" and made an Amendment thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendment, in at the Table, where the same were again read, and agreed to by the House.

Ordered,

Ordered, That the Bill, and Amendment be engrossed.

Mr. Hoffman, from the said Committee of the whole House; further reported, that the said Committee had gone through the Bill, entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State,*" made several Amendments, and added two Clauses thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendments, and Clauses, in at the Table where the same were again read, and agreed to by the House.

Resolved, That this House do concur with the Honorable the Senate, in their two Resolutions, of the 22d of February last, approving the Conduct of the joint Committee of Senate and Assembly, appointed to superintend the Printing of the Journals of both Houses, and the Laws of this State, continuing the Powers of the said Committee, and appointing them to keep the Paper therein mentioned, belonging to the State, for the Uses therein mentioned.

Ordered, That Mr. Smith and Mr. Baker, carry a Copy of the above Resolution of Concurrence, to the Honorable the Senate.

By unanimous Consent of the House, the engrossed Bill, entitled, "*An Act to repeal an Act, entitled, An Act for exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief where two Persons have jointly procured a Man to enlist,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith and Mr. Baker, carry the said Bill to the Honorable the Senate, for Concurrence.

Mr. Brasfer, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act for the Payment of the Salaries, of the several Officers of Government and for other Purposes therein mentioned,*" reported, that the said Committee had made some Progress therein, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until eight o'Clock To-Morrow Morning.

SATURDAY, 8 o'Clock, A. M. March 6, 1779.

THE House met, pursuant to Adjournment.

The Honorable the Senate returned, by Isaac Stoutenburgh, Esq; the Bill entitled "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned.*"

Ordered, That Mr. Lott and Mr. Cantine, carry the said Bill to the Honorable the Council of Revision.

The Bill entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State,*" as amended, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lott and Mr. Cantine, carry the said Bill and Amendments to the Honorable the Senate, and inform the Senate, that this House have passed the said Bill with the Amendments therewith delivered.

Mr. Harpur, from the Committee to whom was referred the Petition of Philip Jacobs and the joint Account of the said Philip Jacobs and James Dole, brought in the Report of the said Committee, which was read, and agreed to by the House. Thereupon,

Resolved, That there be allowed to the said Philip Jacobs, the Sum of Seventy Pounds, for the one half of the Hire of the Sloop *Camden*, while in the Service of the State.

Ordered, That a Clause be added to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" for carrying the above Resolution into Execution.

Resolved, That Gilbert Livingston, Esq; who, by public Authority, impressed the Sloop *Camden*, or took her into the Service of this State, be authorized and requested, in Case a Suit or Suits shall be commenced against him by Philip Jacobs and James Dole, or either of them, for the Recovery of the Value of the said Sloop, or any Part thereof, to defend such Suit or Suits; and the public Faith is hereby pledged to the said Gilbert Livingston, for an Indemnification against all Costs and Damages, which he may be put to, or which may be recovered against him in such Suit or Suits.

Ordered, That Mr. Lott and Mr. Cantine, carry a Copy of the preceding Resolution to the Honorable the Senate, for Concurrence.

A Message was received from the Honorable the Senate, by Isaac Roosevelt, Esq; That the Senate have passed the Bill, entitled, "*An Act to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State,*" with certain Amendments therewith delivered.

The said Bill and Amendments being read, the House proceeded to the Consideration thereof—and the said Amendments being severally read a second Time, and the Question put thereon respectively, were agreed to by the House.

Ordered,

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Lott and Mr. Cantine, return the said Bill to the Honorable the Senate, and inform the Senate, that this House have agreed to the Amendments to the said Bill, and amended the same accordingly.

The Honorable the Senate, by William Smith, Esq; returned the Bill, entitled "*An Act to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State.*"

A Message was also received from the Honorable the Senate, by William Smith, Esq; That the Senate have passed the Bill, entitled, "*An Act making it Felony without the Benefit of Clergy, to counterfeit or pass, knowing the same to be Counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States, or by the Authority of this or any other of the United States,*" without Amendment.

Ordered, That Mr. Lott and Mr. Cantine, carry the said two Bills, to the Honorable the Council of Revision.

Another Message was received from the Honorable the Senate, by William Smith, Esq; That the Senate have agreed to the Amendments to the Bill entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State,*" and that the said Bill is amended accordingly.

The said Bill and Amendments being read, and it appearing that the Amendments are duly made;

Ordered, That Mr. Benson and Mr. J. Clark, return the said Bill to the Honorable the Senate.

Mr. Brasber, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Payment of the Salaries, of the several Officers of Government, and for other Purposes therein mentioned,*" reported, that the said Committee had gone through the said Bill, made several Amendments and added some Clauses thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill, and Amendments and Clauses, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments and Clauses be engrossed.

Resolved, (if the Honorable the Senate shall concur herein) That Robert Harpur, Esq; be authorized and requested to take of the Laws of this State, and of the Journals of the Senate and Assembly, one Hundred and fifty printed Copies of each—and transmit one Copy of the said Laws and Journals to the respective Clerks of the several Cities, Counties, Boroughs, Towns, Manors, Districts and Precincts, within this State; to be deposited in the Offices of the said Clerks respectively, for the Inspection and Information of the Inhabitants of the said several Cities, Counties, Boroughs, Towns, Manors, Districts and Precincts respectively.

Ordered, That Mr. Lott and Mr. Cantine, carry a Copy of the preceding Resolution to the Honorable the Senate for Concurrence.

Whereas it hath been suggested that his Excellency the Governor, hath directed certain Types and other printing Utensils, taken by some of the Troops of this State, and the property of some Person unknown, to be deposited in the Hands of Henry Kip, in Ulster County, and the same being wanted to complete the printing of the Laws of the State, and the Journals of the Senate and Assembly. Therefore,

Resolved, (If the Honorable the Senate shall concur herein) That his Excellency be requested to direct the said Henry Kip, or such other Person as may have the said Types and Utensils in his Possession, to deliver them to John Holt, Printer, he giving his Receipt for the same; and the Legislature will indemnify his Excellency, and the said Person with whom the said Types and Utensils are so deposited, for such Delivery thereof to the said John Holt.

Ordered, That Mr. Lott and Mr. Cantine, carry a Copy of the said Resolution to the Honorable the Senate, for Concurrence.

A Petition of Jonathan Hasbrouck, D. Birdsell, Andrew Taylor, and forty-five other Inhabitants of Ulster County, of the like Tenor as the four Petitions of other Inhabitants of Ulster County, presented to this House on the 23d Day of February last, was read.

Ordered, That the Petition above mentioned, be also committed to a Committee of the whole House.

Then the House adjourned until eight o'Clock To-Morrow Morning.

SUNDAY, 8 o'Clock, A. M. March 7, 1779.

THE House met pursuant to Adjournment.

A Message was received from the Honorable the Senate, by Alexander Webster, Esq; with the Bill therein mentioned; That the Senate have passed a Bill, entitled, "*An Act*"

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empowering

empowering the Assessors in the County of Charlotte, to make the Assessments, directed by an Act entitled, an Act for raising Seven Hundred Men, to be employed in the Defence of this State," and request the Concurrence of this House.

The said Bill was read the first Time, and ordered a second Reading.

The engrossed Bill entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Snyder and Mr. Rea, carry the said Bill to the Honorable the Senate, for Concurrence.

Mr. Dodge, from the Committee to whom was referred the Petition of *Brinton Paine* brought in the Report of the said Committee, which was read, and agreed to by the House. Thereupon,

Resolved, That it would be improper for the Legislature to make an Allowance to the said *Brinton Paine*, for the Loss of his Baggage and Money, or of the Baggage of the Men under his Command.

Resolved, As to the Sum of Twenty-One Pounds Six Shillings and Eight-Pence taken by the Enemy, being the Pay of four Men for two Months Service, who were then absent by Sickness, and which the said *Brinton Paine*, has since paid to the said four Men. That in as much as the said *Brinton Paine*, was at that Time in the Service of the United States, the Legislature of this State, cannot consistently grant him Relief.

A Message was received from the Honorable the Senate, by *Ebenezer Russell*, Esquire with the Bill therein mentioned; That the Senate have passed the Bill, entitled, "*An Act to repeal an Act entitled, an Act for exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State; and for giving Relief in Cases where two Persons have jointly procured a Man to enlist;*" without Amendment.

Ordered, That Mr. Snyder and Mr. Rea, carry the said Bill to the Honorable the Council of Revision.

A Message was also received from the Honorable the Senate, by Mr. Russell, with the Bill therein mentioned; That the Senate have passed the Bill, entitled, "*An Act to carry into Execution certain Resolutions of Congress, making Provision for Persons, who may become disabled, while in the Service of the United States,*" without Amendment.

A Petition of Lieutenant-Colonel *Roswell Hopkins*, on Behalf of himself, and a Regiment lately under his Command, with certain Rolls for Billet Money, Rations and Mouldage on their March, thereunto annexed, was read.

Ordered, That the said Petition be committed to a Committee, that Mr. Benson, Mr. Harpur and Mr. Dodge, be a Committee for that Purpose; that they inquire of the Facts stated in the said Petition, and report thereon to this House, at the next Meeting of the Legislature.

The Bill entitled, "*An Act empowering the Assessors in the County of Charlotte, to make the Assessments directed by an Act entitled, an Act for raising Seven Hundred Men, to be employed in the Defence of this State,*" was read a second Time, and committed to a Committee of the whole House.

Then the House adjourned until eight o'Clock To-Morrow Morning.

MONDAY, 8 o'Clock, A. M. March 8, 1779.

THE House met pursuant to Adjournment.

The House proceeded to the Consideration of the Amendments of the Honorable the Senate, to the Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, the common and public Highways and private Roads, in the Counties of Ulster, Orange, Dutchess and Westchester,*"

The Bill and Amendments were read.—One of the said Amendments being an Alteration in the Title, the altered Title is in the Words following, viz. "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads in the Counties of Ulster, Orange, Dutchess, Charlotte and Westchester.*"

The said Amendments being severally read a second Time, were respectively agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. Tayler and Mr. L'Hommedieu, carry back the said Bill, to the Honorable the Senate, and inform the Senate, that this House have agreed to their Amendments to the said Bill, and amended the same accordingly.

Mr. Williams moved, that the House resolve itself into a Committee of the whole House on the Bill, entitled, "*An Act to prevent Monopoly and Extortion.*"—

Debates arose thereon, and the Question being put, it passed in the Negative, in the Manner following, viz.

For the Negative.

Mr. Waggoner,
Mr. Lockwood,
Mr. Whiting,
Mr. Tayler,

Mr. Van Houten,
Mr. J. Coe,
Mr. B. Coe,
Mr. Smith,

Mr. Jay,
Mr. Cantine,
Mr. Baker,
Mr. Duncomb,

Mr. Hoffman,
Mr. T. Crane,
Mr. Swartwout,
Mr. Benson

Mr. Brasher,
Mr. Boerum,
Mr. Benedict,
Mr. Ogilvie.

For the Affirmative.

Mr. J. Clark,
Mr. Snyder,
Mr. Bancker,

Mr. K. Van Rensselaer,
Mr. L'Hommedieu,
Mr. Dodge,

Mr. Schoonmaker,
Mr. Wickes,
Mr. Loit,

Mr. Rea,
Mr. Gelston,
Mr. Birdfall,

Mr. Williams,
Mr. Harpur,
Mr. Morehouse.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by Mr. Justice Hobart, was read, and is in the Words following, viz.

In Council of Revision, March 8, 1779.

"Resolved, That it does not appear improper to this Council, that the following Bills, viz. The Bill, entitled, "*An Act to prevent Abuses in Flags of Truce, and for other Purposes therein mentioned.*" The Bill entitled, "*An Act to procure a further Supply of Shoes and Stockings, for the Troops raised under the Direction of this State.*" The Bill entitled, "*An Act making it Felony without Benefit of Clergy, to counterfeit or pass, knowing the same to be Counterfeit, any Bills of Credit, emitted by the Authority of the Congress of the United States, or by the Authority of this or any other of the United States;*" And, the Bill entitled, "*An Act to repeal an Act, entitled, An Act for exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief in Cases where two Persons have jointly procured a Man to enlist,*" should become Laws of this State.

A Copy of a Resolution of the Honorable the Senate, delivered by Abraham Yates, jun. Esq; was read, and is in the Words following, viz.

In Senate, March 8, 1779.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of the sixth Instant, requesting Gilbert Livingston, Esq; in Case a Suit or Suits shall be commenced against him, for the Sloop *Cambden*, to defend such Suit or Suits, and indemnifying the said Gilbert Livingston therein; also in their Resolution, of the sixth Instant, requesting Robert Harpur, Esq; to take of the Laws of this State, and of the Journals of the Senate and Assembly, one Hundred and fifty printed Copies of each, and transmit one Copy of the said Laws and Journals, to the respective Clerks, and for the Purposes, in the said Resolution mentioned—And also that this Senate do concur in the Resolution of the Honorable House of Assembly, of the sixth Instant, requesting his Excellency the Governor, to direct Henry Kip to deliver the Types and printing Utensils, in the said Resolution mentioned, to John Holt, Printer, and for indemnifying his said Excellency, and the said Person so delivering the said Types and Utensils."

A Message was also received from the Honorable the Senate, by Abraham Yates, jun. Esq; That the Senate have passed a Bill, entitled, "*An Act to raise a Sum not exceeding Six Hundred Pounds, in the County of Tryon, to repair the Goal in the said County,*" and desire the Concurrence of this House.

The said Bill was read the first Time, and ordered a second Reading.

Mr. Ogilvie, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act empowering the Assessors in the County of Charlotte, to make the Assessments, directed by an Act for raising Seven Hundred Men, to be employed in the Defence of this State,*" reported, that the said Committee had gone through the Bill without Amendment, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

The said Bill was then read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Tayler and Mr. L'Hommedieu, return the said Bill to the Honorable the Senate, and inform the Senate, that this House have passed the same without Amendment.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. March 9, 1779.

THE House met, pursuant to Adjournment.

The Bill, entitled, "*An Act to raise a Sum not exceeding Six Hundred Pounds, in the County of Tryon, to repair the Gaol in the said County,*" was read a second Time, and committed to a Committee of the whole House.

Resolved, (if the Honorable the Senate concur herein) That John Holt, Printer, be, and he is hereby directed to deliver to his Excellency the Governor, two Copies of the Acts of the Legislature of this State, passed in the present Session; to the Delegates of this State in

in Congress, each one Copy; to the Members of the Legislature, each one Copy; to the Treasurer and Auditor-General, each one Copy; to the Clerk of the Assizes, one Copy; to the Register of the Court of Chancery, and to the Clerk of the Supreme Court, each one Copy, for the Use of the said Courts; to the Clerk of the Senate, and to the Clerk of the Assembly, each two Copies, for the Use of the Senate and Assembly; and that the Printers of the Journals of the Senate and Assembly respectively, deliver to his Excellency the Governor, to the President and each Member, and to the Clerk of the Senate, to the Speaker, to each Member, and to the Clerk of this House, each, one Copy of the Journals of the Senate and Assembly; and that they deliver to the Clerk of each House, three Copies for the Use of the respective House.

Ordered, That Mr. Benson and Mr. Ogilvie, carry a Copy of the preceding Resolution, to the Honorable the Senate for Concurrence.

The Honorable the Senate returned by Mr. Landon, the Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, the common and public Highways, and private Roads, in the Counties of Ulster, Orange, Dutchess, Charlotte and Westchester.*"

Ordered, That Mr. Ogilvie and Mr. J. Clark, carry the said Bill to the Honorable the Council of Revision.

Mr. Benson made a Motion in the Words following, viz.

"I move that a standing Committee be appointed, to be denominated, a Committee for preserving the Constitution, with Powers to send for Persons and Papers, to enquire into and report, all Matters which may be deemed Violations of, or Departures from the Constitution of this State, so as the said Committee shall not be authorized to enquire into or report on any Matters, which shall be determined in the Senate or Assembly, upon a Conference between both Houses, or upon Debate in the Assembly.

Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Snyder,	Mr. Whiting,	Mr. Brasher,	Mr. Cantine,	Mr. Smith,	Mr. Harpur,
Mr. Van Houten,	Mr. B. Coe,	Mr. T. Crane,	Mr. Rea,	Mr. J. Coe,	Mr. Gelston,
Mr. K. Van Rensselaer,	Mr. Honeywell,	Mr. Williams,	Mr. Baker,	Mr. Duncomb,	Mr. Morehouse,
Mr. L'Hommedieu,	Mr. Dodge,	Mr. Wickes,	Mr. Birdfall,	Mr. Ogilvie,	Mr. Lott,
Mr. Benedict,	Mr. Swartwout,	Mr. Schoonmaker,	Mr. Lockwood,	Mr. Mills,	Mr. Boerum,
Mr. Waggoner,					

For the Affirmative.

Mr. Benson,	Mr. Bancker,	Mr. Jay,	Mr. J. Clark,	Mr. Hoffman,	Mr. Tayler,
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Mr. Brasher then moved for a Resolution in the Words following, viz.

"Resolved, That in the Opinion of this House, it is not necessary or expedient, to appoint a Committee for the Purpose of preserving the Constitution; that as this House hath, agreeable to antient Practice, appointed a Committee of Grievances; it is the Duty of the said Committee, to represent to this House from Time to Time, any Infractions of the Constitution, or other Grievances; as well as the Duty of every Member of this House."

That Mr. L'Hommedieu then moved for the following Amendments to the Resolution moved for, viz. "to transpose the Words, *as well as the Duty of every Member of this House*, and insert them after the Word *Committee*, and before the Words *to represent*, and to obliterate the Words *any Infraction of the Constitution or other Grievances*, and insert in their Stead *all Grievances*."—Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Dodge,	Mr. L'Hommedieu,	Mr. Waggoner,	Mr. Whiting,	Mr. Smith,	Mr. Mills,
Mr. Schoonmaker,	Mr. Van Houten,	Mr. K. Van Rensselaer,	Mr. Swartwout,	Mr. J. Coe,	Mr. Lott,
Mr. Cantine,	Mr. Birdfall,	Mr. Lockwood,	Mr. Honeywell,	Mr. Baker,	Mr. Boerum,
Mr. Gelston,	Mr. Snyder,	Mr. B. Coe,	Mr. Benedict,	Mr. T. Crane,	Mr. Duncomb,

For the Negative.

Mr. Jay,	Mr. Wickes,	Mr. Williams,	Mr. Harpur,	Mr. Morehouse,	Mr. Benson,
Mr. Rea,	Mr. Bancker,	Mr. Brasher,	Mr. Tayler,	Mr. Hoffman,	

Therefore, Resolved, That in the Opinion of this House it is not necessary or expedient to appoint a Committee for the Purpose of preserving the Constitution; that as this House hath, agreeable to antient Practice, appointed a Committee of Grievances, it is the Duty of the said Committee as well as the Duty of every Member of this House, to represent to this House from Time to Time, all Grievances.

John Nesbit, one of the Commissioners for distributing sundry charitable Donations to the distressed Inhabitants on the Frontiers of the Eastern and Western Districts of this State, attending, pursuant to the Order of this House, of the tenth Day of February last, directing him to transmit or lay before the Legislature, his Accounts in the Execution of his Trust.

Ordered,

Ordered, That Mr. Dodge, Mr. Tayler and Mr. Baker, be a Committee to examine the said Accounts, and report thereon.

Andries Bevier, Esquire, returned one of the Representatives for the County of Ulster, attended pursuant to the Order of this House, of the fourth Day of Februgry last, in the controverted Election, between him and Colonel Thomas Palmer; and none of the Petitioners on Behalf of the said Thomas Palmer, appearing; and the said Andries Bevier, having produced a Certificate from Egbert Dumond, Esq; Sheriff of Ulster County, that the said Andries Bevier, was one of those returned to him by the several Supervisors and Assessors, as duly elected a Representative;

Ordered, That he be admitted to be Sworn, and take his Seat.

Thereupon the said Andries Bevier, Esq; having taken and subscribed the Oath of Allegiance, as by Law prescribed, before the Speaker, as a Commissioner appointed for the Purpose, took his Seat.

Ordered, That Mr. Ogilvie and Mr. Boerum, carry to the Honorable the Council of Revision, the Bill, entitled, "An Act to carry into Execution, certain Resolutions of Congress, making Provision for Persons who may become disabled, while in the Service of the United States."

Mr. Speaker put the Question, Whether the House will resolve itself into a Committee of the whole House, on the Bill, entitled, "An Act for the better laying out, regulating and keeping in Repair, public Highways and private Roads, in the County of Orange?" and it passed in the Negative, Nem. Con.

Resolved therefore, That the said Bill be rejected.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. March 10, 1779.

THE House met pursuant to Adjournment.

Mr. Benson moved for a Resolution, in the Words following, viz.

Resolved, (If the Honorable the Senate shall concur herein) That it be recommended to the Secretary of this State, to cause the public Records, and to the Treasurer, to cause the Treasury, to be forthwith removed to the City of Albany; and that if a Guard should be necessary, as an Escort to the Records or Treasury upon such Removal, that the Secretary and Treasurer, respectively apply to his Excellency the Governor, for a Detachment of the Militia for the Purpose; and that the Legislature will provide for the Expence attending such Removal, and also for the Expence of hiring a proper Place in the City of Albany, wherein to deposit the Records.—Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Schoonmaker,	Mr. B. Coe,	Mr. Dodge,	Mr. Benedict,	Mr. Van Houten,	Mr. T. Crane,
Mr. Rea.	Mr. Brasher,	Mr. J. Coe,	Mr. Lockwood,	Mr. Morehouse.	Mr. Bevier,
Mr. Snyder.	Mr. Swartwout,	Mr. Williams,	Mr. Lott,	Mr. Smith,	
Mr. Honeywell,	Mr. Cantine,	Mr. Birdfall,	Mr. J. Clark,	Mr. Mills,	

For the Affirmative.

Mr. Dancker,	Mr. K. Van Rensselaer,	Mr. Benson	Mr. Boerum,	Mr. Dunscomb,	Mr. Baker,
Mr. Whiting,	Mr. Ogilvie.	Mr. Hoffman,	Mr. Tayler,	Mr. Gelston,	Mr. Waggoner,
Mr. L'Hommiedieu,					

Mr. Benson, from the Committee to whom was referred the Petition of Jesse Brush and others, and the Petition of Daniel Bonnett and Peter Riker, brought in their Report, which was read, and agreed to by the House. Thereupon,

Resolved, That two Committees be appointed, by the concurrent Resolutions of both Houses, and to consist each of one Member from the Senate, and two Members of the Assembly; the one Committee to enquire, during the Recess of the Legislature, into the Conduct of the Commissioners of Sequestration, for the Counties of Albany, Charlotte and Tryon, respectively; and the other to enquire into the Conduct of the Commissioners of Sequestration, for the Counties of Dutchess, Ulster, Westchester and Orange, respectively; That the said Committees report at the next Meeting of the Legislature, and that the Legislature will provide for the Expence of such Enquiry.

Resolved, That if the Facts charged in the Petition of Peter Riker and Daniel Bonnett, presented to the Legislature, be true, that it be recommended to the Commissioners of Sequestration, for Westchester County, either to lease to the said Peter Riker and Daniel Bonnett, the whole of the Farm which the said Daniel Bonnett now occupies, with John Thomas, Esq; or to lease to the said Peter Riker and Daniel Bonnett, the other Farm in the said Petition, suggested to be leased to the said John Thomas, Esquire.

Resolved, That Mr. Williams and Mr. Bevier, carry a Copy of the above Resolutions, to the Honorable the Senate for Concurrence.

Mr. Dodge, from the Committee to whom was referred the Inspection of the Accounts of John Nesbit, Esquire, one of the Commissioners appointed for the Distribution of certain

tain Donations to the distressed Inhabitants, on the Frontiers of the Northern and Western Districts of this State, brought in their Report, which was read, and agreed to by the House. Thereupon,

Resolved, That the Order of Yesterday, appointing Mr. Dodge, Mr. Tayler and Mr. Baker, a Committee to examine the said Accounts, be rescinded. And,

Ordered, That a Committee be appointed to examine, in the Recess of this House, the Accounts, and inquire into the Conduct of the said Commissioners, appointed for the Distribution of certain Charitable Donations, to the distressed Inhabitants on the Northern and Western Frontiers of this State, and to report at the next Meeting of the Legislature. And,

Ordered, That Mr. Tayler, Mr. Bancker and Mr. Gordon, be a Committee for that Purpose.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by the Chancellor, was read, and is in the Words following, viz.

"In Council of Revision, March 10, 1779.

"*Resolved*, That it does not appear improper to this Council, that the Bill entitled, "*An Act to carry into Execution certain Resolutions of Congress, making Provision for Persons who may become disabled, while in the Service of the United States,*" should become a Law of this State.

A Message was received from the Honorable the Senate, by Henry Wisner, Esquire, with the Bill therein mentioned; That the Senate have passed the Bill, entitled, "*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same,*" with the Amendments therewith delivered.

The House then proceeded to take into Consideration the said Amendments, and on reading that Part of the Amendment to the

which consists in the Words following, viz. "Nor

shall any Lands whatsoever, be sold by them before the first Day of November next."

Mr. Speaker put the Question, Whether the House concur with the Honorable the Senate in the said Amendment.—Debates arose thereon, and it was carried in the Negative, in Manner following, viz.

For the Negative.

Mr. Schoonmaker,
Mr. Smith,
Mr. Cantine,
Mr. Bancker,

Mr. Dodge,
Mr. Bevier,
Mr. Ogilvie,
Mr. J. Clark,

Mr. K. Van Rensselaer,
Mr. Whiting,
Mr. Van Houten,
Mr. Benson,

Mr. Tayler,
Mr. Wickes,
Mr. Rea,
Mr. Harpur,

Mr. Jay,
Mr. Baker,
Mr. Morehouse,
Mr. Boerum,

For the Affirmative.

Mr. L'Homedieu,
Mr. Snyder,
Mr. Swartwout,

Mr. Gelston,
Mr. Waggoner,
Mr. Birdfall,

Mr. J. Coe,
Mr. Williams,
Mr. Lott,

Mr. Brasher,
Mr. B. Coe,
Mr. Honeywell,

Mr. Duncomb,
Mr. Hoffman,
Mr. Mills,

Mr. Lockwood,
Mr. T. Crane,
Mr. Benedict,

Each of the Amendments being read a second Time and considered;

Resolved, That this House do not concur with the Honorable the Senate, in the following Amendments to the Bill, entitled, "*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same,*" viz.

"The several Amendments which consists in inserting the Names, contained in the List Number One, delivered with this Resolution; The several Amendments, which consist in striking out the Names contained in the List Number Two, also delivered with this Resolution;" And that Part of an Amendment, which consists in the Words following, viz. "Nor shall any Lands whatsoever, be sold by them before the first Day of November next."

Resolved, That this House do concur with the Honorable the Senate, in their other Amendments to the said Bill.

Ordered, That Mr. Benson and Mr. J. Clark, deliver a Copy of the two preceding Resolutions, to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. March 11, 1779.

THE House met pursuant to Adjournment.

A Copy of a Resolution of the Honorable the Senate, delivered by Richard Morris, Esq; was read, and is in the Words following, viz.

"In Senate, March 10, 1779.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolutions of this Day, for the Appointment of two Committees, of the Senate and Assembly, to inquire into the Conduct of the Commissioners of Sequestration; and in the Recommendation to the Commissioners of Sequestration, in Westchester County, respecting Peter Riker and Daniel Bonnett, in the said Resolution mentioned."

Thereupon, *Ordered*, That Mr. Tayler and Mr. Gordon, with such Member of the Honorable the Senate, as that House may appoint, be a Committee to inquire, during the Recess

Recess of the Legislature, into the Conduct of the Commissioners of Sequestration for the Counties of *Albany, Charlotte and Tryon*, respectively. And,
 Ordered, That Mr. *Dodge* and Mr. *Schoonmaker*, with such Member of the Honorable the Senate, as that House may appoint, be a Committee for the like Purpose, as to the Commissioners of Sequestration, in the Counties of *Dutchess, Ulster, Westchester and Orange*, respectively.

Ordered, That Mr. *Brashear* and Mr. *Birdsall*, carry a Copy of the above Orders to the Honorable the Senate.

A Copy of another Resolution of the Honorable the Senate, delivered by *Henry Wisner*, Esq; was read, and is in the Words following, viz.

“ In Senate, March 10, 1779.

“ Resolved, That this Senate do recede from such of their Amendments to the Bill, entitled, “ *An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect of all Property within the same,*” as are not agreed to by the Honorable the House of Assembly.” Thereupon,

Ordered, That the said Bill be amended agreeable to the Amendments thereto; concurred in by this House.

Ordered, That Mr. *Brashear* and Mr. *Birdsall*, carry back the said Bill, and inform the Honorable the Senate, that the same is amended accordingly.

A Copy of a Resolution of the Honorable the Council of Revision, delivered by the Chancellor, was read, and is in the Words following, viz.

“ In Council of Revision, March 11, 1779.

“ Resolved, That it does not appear improper to this Council, that the Bill, entitled, “ *An Act for the better laying out, regulating and keeping in Repair, all common and public Highways, and private Roads, in the Counties of Ulster, Orange, Dutchess, Charlotte and Westchester,*” should become a Law of this State.

A Message was received from the Honorable the Senate, by *Richard Morris*, Esq; with the Bill therein mentioned, that the Senate have passed the Bill, entitled, “ *An Act for the Payment of the Salaries, of the several Officers of Government, and for other Purposes therein mentioned,*” with the Amendments therewith delivered.

The Bill and Amendments were read, and the Amendments being respectively read a second Time and considered, and the Question put on each Amendment respectively;

Resolved, That this House do not concur with the Honorable the Senate, in their Amendments to the said Bill, which consists in reducing the following Salaries and Allowances, viz. The Salary to the Chancellor; the Salary to the Chief Justice; the Salaries to Mr. Justice *Tates* and Mr. Justice *Hobart*, respectively, and the Allowance to *John Henry*; nor in the Amendment which increases the Allowance to the Secretary of State.

Resolved, That this House do concur with the Honorable the Senate, in their other Amendments to the said Bill.

Ordered, That Mr. *Brashear* and Mr. *Birdsall*, carry a Copy of the above Resolutions, to the Honorable the Senate, together with the said Bill.

Mr. *Benson*, from the Committee appointed for that Purpose, reported the Draft of a Letter from the Legislature, to the Honorable the Delegates of this State at Congress, relative to the carrying on offensive Operations against the Enemy to the Westward, which was read and approved of by the House.

Ordered, That Mr. *Brashear* and Mr. *Birdsall*, carry a Copy thereof to the Honorable the Senate for Concurrence.

The Honorable the Senate, by *Henry Wisner*, Esq; returned the Bill, entitled, “ *An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect of all Property within the same.*”

Ordered, That Mr. *Whiting* and Mr. *Dunscornb*, carry the said Bill to the Honorable the Council of Revision.

A Copy of a Resolution of the Honorable the Senate, delivered by *Isaac Roosevelt*, Esq; was read, and is in the Words following, viz.

“ In Senate, March 11, 1779.

“ Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of the ninth Instant, directing the Printers to deliver to the several Persons therein mentioned, Copies of the Laws passed this Session, and of the Journals of the Senate and Assembly.”

Sir *James Jay*, from the Honorable the Senate, delivered a Copy of two Resolutions of the Honorable the Senate, which being read, are in the Words following, viz.

“ In

" In Senate, March 11, 1779.

" Resolved, That this Senate do recede from their Amendments to the Bill, entitled "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" which consist in reducing the Salaries of the Chancellor, and the Chief and Puisne Justices of the Supreme Court, and the Allowance to *John Henry*.

" Resolved, That this Senate do not recede from their Amendment to the said Bill, which increases the Allowance to the Secretary of this State."

The House took the said Resolutions into Consideration; And thereupon,

Resolved, That a Conference be held with the Honorable the Senate, upon that Amendment to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" which increases the Allowance to the Secretary of the State; and that this House will attend at such Time and Place as the Honorable the Senate shall appoint, for holding the said Conference.

Ordered, That Mr. *Brasfer* and Mr. *Birdsall*, carry a Copy of the above Resolution to the Honorable the Senate.

Then the House adjourned until eight o'Clock To-Morrow Morning.

F R I D A Y, 8 o'Clock, A. M. March 12, 1779.

THE House met pursuant to Adjournment.

Two several Orders of the Honorable the Senate, delivered by *Anthony Van Schaick*, Esq; were read, and are in the Words following, viz.

" In Senate, March 11, 1779.

" Ordered, That Mr. *Mynderse*, (with Mr. *Gordon* and Mr. *Taylor*, of the Honorable House of Assembly) be a Committee to enquire during the Recess of the Legislature, in to the Conduct of the Commissioners of Sequestration, in the Counties of *Albany*, *Charlotte* and *Troy*, respectively.

" Ordered, That Mr. *Platt*, (with Mr. *Dodge* and Mr. *Schoonmaker*, of the Honorable House of Assembly) be a Committee for the like Purposes, as to the Commissioners in the Counties of *Dutchess*, *Ulster*, *Westchester* and *Orange*, respectively."

A Resolution and Order of the Honorable the Senate, delivered by *Anthony Van Schaick*, Esq; were read, and are in the Words following, viz.

" In Senate, March 11, 1779.

" Resolved, That this Senate will meet the Honorable House of Assembly, to hold a Conference upon the Amendments to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*" (which increase the Allowance to the Secretary of the State) in the Dutch Church, at this Place, at ten o'Clock To-Morrow Morning.

" Ordered, That Mr. *Yates*, Mr. *R. Morris* and Sir *James Jay*, be a Committee on the Part of this Senate, to manage the Conference."

The House proceeded to choose by Ballot, a Committee to manage the Conference, on the Part of this House, with the Honorable the Senate, on the said Amendments to the said Bill; and Mr. *Benson*, Mr. *Brasfer* and Mr. *Ogilvie*, being duly chosen by Ballot for that Purpose;

Resolved, That Mr. *Benson*, Mr. *Brasfer* and Mr. *Ogilvie*, be a Committee to manage the said Conference, this Day, on the Part of this House, with the Honorable the Senate, on the said Amendments to the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned.*"

Ordered, That Mr. *Schoonmaker* and Mr. *B. Coe*, carry a Copy of the above Resolution to the Honorable the Senate.

The House accordingly met the Senate in the Dutch Church, for the Purpose of holding such Conference; and the same being finished, the House returned to the Assembly Chamber, and proceeded to the Re-consideration of the said Paragraph of the said Bill, and the Amendments of the Honorable the Senate thereto, which were not receded from, and in which this House had not concurred.

The said Paragraph, viz. the fifteenth Paragraph of the said Bill, being read, is in the Words following, viz.

" To the said *John Morin Scott*, in Consideration of the present extraordinary Expence, in attending upon the Legislature and Council of Appointment, from and to the Time last aforesaid, at and after the Rate of the further Sum of Fifty Pounds per Annum."

The Amendments of the Honorable the Senate thereto, are in the Words following, viz.

" In the second Clause respecting the Secretary of the State, between the Word *Appointment*, and the Word *from*, insert as follows, viz. "*And for his extraordinary Services in copying Laws for the Press, superintending the printing of the Laws, making out such civil Commissions,*"

for which no Fees are allowed, and recording such Commissions; and for other extraordinary Services and Expences in the Execution of his Office;" and expunge the Word *fifty*, and insert in its Place, the Words *Two Hundred and Forty*," so that the said Paragraph with the Amendments, is in the Words following, viz.

"To the said *John Morin Scott*, in Consideration of the present extraordinary Expence attending upon the Legislature and Council of Appointment; and for his extraordinary Services in copying Laws for the Press, superintending the Printing of the Laws, making out such civil Commissions for which no Fees are allowed, and recording such Commissions; and for other extraordinary Services and Expences, in the Execution of his Office, from and to the Time last aforesaid; at and after the Rate of the further Sum of Two Hundred and Forty Pounds per Annum.

Mr. Speaker then put the Question, Whether the House do agree to the said Amendments of the Honorable the Senate?—Debates arose thereon, and it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. K. Van Rensselaer,	Mr. Brather,	Mr. T. Crane,	Mr. Honeywell,	Mr. Benedict,	Mr. Benson,
Mr. Lockwood,	Mr. Harpur,	Mr. Whiting,	Mr. Swartwout,	Mr. Boerum,	Mr. Williams,
Mr. Schoonmaker,	Mr. Cantine,	Mr. L'Hommedieu,	Mr. Birdfall,	Mr. Rea,	Mr. J. Coe,
Mr. Smith,	Mr. Bancker,	Mr. Lott,	Mr. Dunscomb,	Mr. Mills,	Mr. Morehouse,
Mr. B. Coe,	Mr. Ogilvie,	Mr. Waggoner,	Mr. Van Houten,	Mr. Baker,	

For the Negative.

Mr. Gelston,	Mr. Wickes,	Mr. J. Clark,	Mr. Jay,
Mr. Tayler,	Mr. Dodge,	Mr. Bevier,	

Therefore *Resolved*, That this House do concur in the said two Amendments of the Honorable the Senate, to the said Clause in the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned.*"

Ordered, That Mr. Schoonmaker and Mr. B. Coe, return the said Bill to the Honorable the Senate, and inform them that this House have amended the said Bill, agreeable to the several Amendments of the Honorable the Senate thereto, which have been concurred in by this House.

A Message was received from the Honorable the Senate, by *Jonathan Landon*, Esq; with the Bill therein mentioned; That the Senate have agreed to the Amendments to the Bill, entitled, "*An Act to amend an Act for regulating Impresses of Forage and Carriages, and for billeting Troops, within this State,*" and caused the same to be amended accordingly.

The said Bill and Amendments being examined, and it appearing that the Amendments are therein truly made;

Ordered, That Mr. Schoonmaker and Mr. B. Coe, return the said Bill to the Honorable the Senate.

Mr. Russell, from the Honorable the Senate, returned the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,*"

Ordered, That Mr. Schoonmaker and Mr. B. Coe, carry the said Bill to the Honorable the Council of Revision.

Then the House adjourned until eight o'Clock To-Morrow Morning.

SATURDAY, 8 o'Clock, A. M. March 13, 1779.

THE House met pursuant to Adjournment.

A Message was received from the Honorable the Senate, by *Abraham Yates*, jun. Esq; with the Draft of a Letter therein mentioned,) That the Senate have agreed to the Letter from the Legislature, to the Delegates from this State in Congress, respecting the carrying on offensive Operations against the Enemy to the Westward; and request that the same may be engrossed.

Ordered, That the said Letter be engrossed.

Copies of two Resolutions of the Honorable the Council of Revision, transmitted to this House by the Honorable the Senate, were read, and are in the Words following, viz.

"In Council of Revision, March 12, 1779.

"Resolved, That it does not appear improper to this Council, that the Bill entitled, "*An Act to amend an Act for impressing Forage and Carriages, and for billeting Troops within this State,*" should become a Law of this State.

"In Council of Revision, March 13, 1779.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act for raising One Thousand Men for the Defence of the Frontiers of this State,*" should become a Law of this State."

John Rowan, Esq; attending at the Bar of the House, prayed that the House would proceed to hold a Scrutiny in the controverted Election between him and *Elisbamer Tozer*, Esq; And the said *Elisbamer Tozer* not being present in his Seat;

Resolved, That in as much as *John Rowan*, Esq; did not appear at the Bar of this House on the first Instant, pursuant to the Order of this House, of the third Day of *February* last, that this House will not at present, proceed to hold a Scrutiny in the controverted Election between the said *John Rowan* and *Elisbamer Tozer*, Esquires.

Resolved, That the said Parties have a farther Day given, until the first Day of the next Meeting of the Legislature, and that if the said *Elisbamer Tozer* doth not appear on that Day, that this House will proceed to hold a Scrutiny in the said controverted Election, *ex parte*, and that if the said *John Rowan*, doth not punctually attend on that Day, that he be fore-closed of his Right to a Seat in this House.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

THE House met pursuant to Adjournment.

The engrossed Letter to the Delegates from this State in Congress, respecting the carrying on offensive Operations against the Enemy to the Westward, was read.

Resolved, That the Speaker sign the said Letter on Behalf of this House, as soon as the same shall be subscribed by the Honorable the Lieutenant-Governor, as President of the Senate.

A Message from the Honorable the Senate, delivered by *Jonathan Landon*, Esq; was read, and is in the Words following, *viz.*

"In Senate, March 13, 1779.

"This Senate having dispatched all the Business that has been depending before them, during the present Meeting of the Legislature;

"Resolved, That this Senate will concur with the Honorable House of Assembly, in an Adjournment of this Meeting of the Legislature, unless that Honorable House, and the Honorable the Council of Revision have Business before them, which requires a Continuance of this Meeting of the Legislature."

A Copy of a Resolution of the Honorable the Council of Revision, delivered by Mr. *Justice Yates*, was read, and is in the Words following, *viz.*

In Council of Revision, March 13, 1779.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, *"An Act for the Payment of the Salaries of the several Officers of Government, and for other Purposes therein mentioned,"* should become a Law of this State."

Then the House adjourned until four o'Clock To-Morrow Afternoon.

SUNDAY, 4 o'Clock, P. M. *March 14, 1779.*

THE House met pursuant to Adjournment.

A Message from the Honorable the Council of Revision, with the Bill therein mentioned, was delivered by the Chancellor,—That he is directed by the Council, to deliver a Copy of their Objections to the Bill, entitled, *"An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect of all Property within the same,"*

The said Objections of the Council were then read, and the same being read a second Time, were postponed for further Consideration.

Then the House adjourned until eight o'Clock To-Morrow Morning.

MONDAY, 8 o'Clock, A. M. *March 15, 1779.*

THE House met, pursuant to Adjournment.

A Petition of *Johannes Hardenbergh*, jun. and one Hundred and thirty other Persons, Inhabitants of *Ulster County*, was read—They therein complain that the Militia Law admits of too many Exempts from Military Duty, and pray that there may not be any Exempts among able bodied Men, except Persons employed in the public Service.

Ordered, That the said Petition be committed to a Committee of the whole House.

The House proceeded to the Re-consideration of the Bill, entitled, *"An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same,"* and the Objections of the Honorable the Council of Revision thereto.

The said Objections being again read, are in the Words following, *viz.*

"Objections of the Council of Revision to the Bill, entitled, "An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same."

The

The Council object to the said Bill ;

" I. Because it is in some Instances repugnant to those plain and immutable Laws of Justice, which no State can with Honor throw off.

" II. Because it is obscure and contradictory, and founded upon Principles which vary from and clash with each other.

" III. Because it in many Cases tends to deprive the well affected Inhabitants of this State, of their just Rights, and subjects them to the grossest Oppressions, if the Commissioners should incline to abuse their Trust.

" IV. Because the Means for carrying it into Execution, are inadequate to the End.

" V. Because it does not pay proper Attention to the Circumstances of the less wealthy Subjects of the State, or to the Means of rendering the Forfeitures most beneficial to the Community.

" 1st. Because it convicts and punishes the Persons named in the Bill, without affording them an Opportunity of availing themselves of a Trial by Jury, to which the Constitution impliedly entitles every Subject, how deep soever his Guilt, unless by his Refusal to submit to such Trial after a Day given, he may be presumed to have relinquished such Privilege ; for the Council conceive, that the best Warrant, to proceed by Bill of Attainder, is the Neglect or Refusal of the Criminal to submit to the ordinary Course of Trial ; and they are confirmed in this Opinion, when they reflect that the Legislature of England never departed from this Rule, except when Parties ran high, and in the Reigns of arbitrary Princes.

" 2d. Because, tho' the Law provides that the Attainder and Conviction shall not affect the Lives of the Persons named in the Bill, but subjects them to a Trial at Law, in Consequence of which, they may be capitally punished ; yet it does not provide, that Restitution be made of their Estates, or a Compensation therefor, even tho' upon such solemn Trial, they should appear to have been innocent, and their Names to have been wrongfully inserted in the Bill ; thereby holding up the Idea of a State, wresting from an unfortunate, tho' guiltless, Individual, that Property which they are bound to protect him in the Enjoyment of.

" 3d. Because the fourth Clause enacts, that when any absent Person shall be indicted for High Treason, in adhering to the Enemies of this State, Notice of such Indictment shall be given in Manner prescribed by the Act ; and that, if he does not come in within the Time limited, he shall be *Ipso Facto*, convicted and attainted, and incur the Penalties of High Treason, with Respect to the Forfeiture of his Property—The 5th Clause directs the Mode of taking Indictments against Absentees, and the Trial of Offences committed out of their respective Counties—The 6th prescribes the Manner in which the Indictments, taken at the Quarter or General Sessions of the Peace, shall be brought up to the Supreme Court, where the Person indicted comes in and surrenders himself—The 7th Clause is in the Words following.

" *And be it further enacted by the Authority aforesaid, and it is hereby provided, That no Attainder, by Virtue of this Act, shall be construed to affect the Life of any Person, except of such Persons as shall render themselves within the Time, and in the Manner herein before limited and directed, or to prevent any Person, except as before excepted, from being apprehended and tried for High Treason, in the ordinary Course of Law, any Thing herein contained to the Contrary, notwithstanding.*"

" This whole Clause, as it stands connected with those that precede it, is involved in such Obscurity, that this Council are at a Loss to affix to it any precise Meaning, since the only Construction which the Words warrant is too remote from common Sense and common Justice, to be that which the Legislature intended it should bear.

" As some of the former Clauses of the Act absolutely convict and attain the Persons, therein named and described, of High Treason, this Proviso seems to have been designed to restrain the Operation of such Conviction and Attainder, so far as it might affect the Lives of such Persons, and yet it is so worded, that those who are the proper Objects of such Restriction, *viz.* Those who surrender themselves within the Time, and in the Manner limited by the Law, by being within the Exception, are out of the Proviso, and expressly excluded from being tried in the ordinary Course of Law. So that while the Act directs the Sheriff to issue his Proclamation, calling in Persons indicted, in Order to their Trial, under a severe Penalty, it excludes them from the Benefit of such Trial, if they come in—And if they should be of the Number of those who have been attainted and convicted, it leaves the Law to operate against them, while it restrains it with Respect to those who do not surrender themselves till after the Time limited is expired, or who may be taken flying from Justice.

" The

"The Council therefore object to the preceding Clause, and these immediately connected with it—1st. On Account of their Obscurity—2d. Because of their manifest Injustice.

"They object to the second Clause of the Bill, because it is directly contrary to the Spirit of the Constitution, and to the Attention which is due to the Rights of the Subjects of this State.

"After reciting that a Number of Persons, therein mentioned, who were dead at the Time of passing the Act, had been guilty of Treason during their Lives, it forfeits the Estate real and personal, of which they or either of them, were severally and respectively seized on the 9th July, 1776. As this Clause affects the Heirs, Executors, Administrators, or Legatees of the Persons named, who, being charged with no Crime, the Law will presume to be good Subjects of the State, and in whom the Property intended to be forfeited has legally vested. To divest them of it by a Law of the State, without Hearing, is to erect the Legislature into a new Court of Judicature, not proceeding according to the Course of the common Law; and to deny to the Subjects of this State, the Benefit of a Trial by Jury, to which they are entitled, "in all Cases in which it hath heretofore been used in the Colony of *New-York*."—For, tho' the Constitution admits of Acts of Attainder under certain Restrictions, yet this Clause can neither be considered as within the Letter, or the Spirit of such Admission. It is not within the Letter, because it contains no Words of Attainder or Conviction—Nor within the Spirit, since it does not punish the Traitor, but imposes Hardships upon the Innocent—If however the Legislature could legally pass such Laws, still as this has a Tendency to deprive Widows and Fatherless Children of their Property, it ought to have been drawn with peculiar Caution—It should have alledged the particular Treason of each Individual, and the Time when committed; in Order that the Heir, or legal Representative, might have been enabled, at some future Day, to prove, (if such was the Fact) that the Legislature had not been fully informed.

"The ninth Clause of the said Bill, forfeits the real Property, Rents, Arrearages of Rents, &c. belonging to the Inhabitants or Subjects of *Great-Britain*, on the ninth Day of July, 1776, or since."—To this the Council object;

"1st. Because it is impolitic and repugnant to the strict Rules of Justice. Civilized Nations, before a Declaration of War, give Notice to the Subjects, of the States with whom they are at Variance, to remove their Property—The Reason operates more strongly at this great Revolution, from the close Connection which heretofore subsisted between this State and the now Subjects of *Great-Britain*, who, if not unfriendly in their Conduct, should be admitted to dispose of their Estates, or what better Policy would dictate, to settle on them.

"2d. Because it injures the national Character of the State, may occasion reciprocal Forfeitures, and lessen the Emigrations of People of Property from the *British* Dominions, from whose imported Wealth greater Advantages might be expected, than from the Pittance produced by the Sale of their Lands.

"3d. Because it makes an ill Return for the Spirit and Liberality with which our Cause has been defended by many worthy Patriots in the *British* Dominions;—the provisory Clause in their Favour, being merely nugatory, promising nothing certain, and requiring Proofs which it may be difficult or dangerous for the Subjects of another Power to make.

"4th. Because it is vague and uncertain, the Words Inhabitant or Subject, in the Dis-junctive, admitting of very great Latitude; under the last of which Names may be comprised, every Inhabitant of this Country, born in the *British* Dominions, who has not by some decisive Act, renounced his former Allegiance to the King of *Great-Britain*, and perhaps every other Person within the Enemy's Protection, however involuntarily he may be so.

"II. The Council further object to the said Law;

"Because it has no stated Principle, sometimes referring back the Forfeitures only to the 16th of July, 1776, thereby founding the Right of Confiscation on the Law passed on that Day—In other Cases, going back to the 9th Day of July, in the same Year, and in Cases of Conviction for Treason in another State, referring to the Time of the Offence committed, tho' possibly such Treason might have been prior to our Declaration of Independence.

"III. Because the Powers given to the Commissioners, are vague and undetermined, and tho' in some Cases so exorbitant, as to be oppressive and unjust, yet in others, insufficient to answer the End proposed.

"1st.

" 1st. They have no Power to send for Persons or Papers, to examine into Titles ;—to commence Suits, where Frauds are suspected ; or to inform themselves, of what Mortgages, Judgments, or other Incumbrances may lie against the Land offered to Sale. So that every Purchaser must buy at his own Risque, (unless in those Cases in which the Commissioners put off the Sale for two Years) without any Knowledge of the Title under which he holds ; and must at his private Expence, commence Suits for the Recovery of the Lands bought, where the same are held against him ; in which Suits, it will be incumbent upon him to prove, that the Right existed in the Person convicted and attainted ; nor is any Remedy given him, if he should fail in such Action, to recover back his purchase Money from the State : These several Difficulties, must greatly lessen the Value of the Lands sold ; be equally disadvantageous to the Possessors, and the State ; and prove fertile Parents of numerous Law Suits.

" IV. The Council object to the third Clause of the Bill,

" Because it enacts, " That the Commissioners shall be indemnified in seizing and possessing themselves of Estates *reputed* to have belonged to any of the Persons above named, on the said ninth Day of July, 1776, in holding and leasing the same, for the Use of the People of this State, until the same shall be recovered against the said Commissioners, by due Course of Law, *any* Conveyance prior in Date to that Day notwithstanding ; and all Titles, derived to such Estates respectively, by Virtue of such Conveyance or Conveyances, shall after two Years, from and after the seizing and possessing aforesaid of such Estates respectively, and no Suit commenced and prosecuted to a Trial, for the Recovery of the Possession of the same within that Time, be forever and absolutely barred, &c."

" By this Clause, the Commissioners are impliedly restrained from selling one Foot of Land, till the Expiration of two Years, which may belong to any of the Persons *named* in the Bill ; since that Time is allotted to the Proprietors to bring their Suits, and no express Direction contrary thereto, is given them in any Part of the Bill. The eleventh Clause, which directs them to sell from Time to Time, admitting of such Construction as is very reconcileable to the Idea held out in this ;—and were it otherwise, a good Objection would arise from their Contrariety. The Council cannot see the Policy of proceeding to an immediate Forfeiture, if the Sales of the Estates so forfeited, are to be suspended for so long a Time. For this Cause therefore they object, as also because by the above Clause, Powers are given to the Commissioners, which no free State ever entrusted to any Man or Body of Men whatsoever, *viz.* " An absolute and uncontroled Right to deprive the good Subjects of the State of their Possessions, to turn them and their Families out of their Houses, and to oblige them to contend by Course of Law, for the Inheritance of their Ancestors.—And this too, not upon a solemn Trial by Jury, (to which the Constitution entitles them) not upon a cool dispassionate Examination of Evidences, not even upon a reasonable Presumption ; but merely because the Estate so seized, was reputed to belong on the 9th of July, 1776, to the Persons named in the Bill ; which Reputation, the Commissioners themselves, or any other Person, may raise from malicious or interested Motives.

" Those, who are acquainted with the Nature of Titles in this Country, know that the best Evidence of many of them is found in Possession, and that should they once be ousted, they would with Difficulty recover their Rights. There are many dormant Titles, which a wicked or ignorant Commissioner might awake, the *naked Right* to which may exist in Persons attainted by the Bill, tho' the Lands are held by honest Purchasers under different Titles, which may all be defeated, if Possession is once annexed to the mere Right ;—there are many interfering Patents, the Bounds of either of which, the Commissioners may be interested in extending.—And were all these out of Question, weighty Objections would lie to the Clause, from the Power that it vests in the Commissioners to seize the Possessions of any Estate, by Colour of this Law, for the Benefit of themselves or their Friends, under such Rents as they shall deem proper, and to hold the same for two Years, or till they are convicted by due Course of Law ; and in the Case of Infants, and Persons beyond Sea, for a much longer Time. And all this without the least control, since by the Law they are indemnified for every such Act of Injustice ; and the Party convicted of his Estate, is not intitled to recover any Damages against such Commissioner, for the Injury he has sustained.

" 2d. The Council object to the said Bill, because tho' it refers back the Forfeitures to the 9th and 16th of July, yet it makes no Provision for the Payment of Debts due to the Subjects of this State, from the Persons attainted ;—pays no Attention to *Bona fide* Purchases, made of such Persons who have resided among us since that Day, even tho' prior to the Treason committed ; or to the due Execution of Contracts entered into for the Sale of Lands (tho' even where Money has been paid thereon) before the 9th Day of July,

1776.—Because it even goes so far as to oblige the Tenant who has paid his Rent, and the Debtor who has discharged his Debts, to the Person attainted and convicted, or his Agent residing among us, since the 9th of July, 1776, which he was then compellable by Law to do, to repay the same to the State.

“V. Because no more than one Month is allowed for the Payment of the Money, for which the forfeited Estates shall sell; by which, many of the industrious Farmers, and others, who have not had it in their Power to accumulate Money during the War, will be debarred from buying;—The Number of Purchasers be reduced;—The Price of the Lands be diminished; and the whole confiscated Property be vested in a few Monopolizers and Merchants, in this and the neighbouring States;—Inconveniencies which partial and easy Payments might remove.”

Poughkeepsie, March 14, 1779.

The said Objections having been read by Paragraphs, and considered; and the House having re-considered the said Bill, entitled, “*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same.*”

Mr. Speaker put the Question, Whether the House, notwithstanding the said Objections, do agree to pass the same?—Debates arose thereon, and it passed in the Affirmative, in the Manner following, viz.

For the Affirmative.

Mr. J. Coe,	Mr. Benson,	Mr. Gelston,	Mr. Williams,	Mr. L'Homedieu,	Mr. T. Crane,
Mr. Morehouse,	Mr. Van Houten,	Mr. B. Coe,	Mr. Harpur,	Mr. Honeywell,	Mr. Mills,
Mr. Dodge,	Ma. Snyder,	Mr. Schoonmaker,	Mr. Lott,	Mr. Benedict,	Mr. Baker,
Mr. Cantine,	Mr. Swartwout,	Mr. Boerum,	Mr. Smith,	Mr. Birdall,	
Mr. Bevier,	Mr. Wickes,	Mr. Rea,	Mr. J. Clark,	Mr. Lockwood,	

For the Negative.

Mr. Waggoner,	Mr. Bancker,	Mr. Tayer,	Mr. Jay,	Mr. Duncomb,
Mr. K. Van Rensselaer,	Mr. Brasher,	Mr. Whiting,	Mr. Hoffman,	

The said Bill being agreed to be passed by two Thirds of the House, Resolved, That the Bill entitled, “*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect of all Property within the same,*” (notwithstanding the Objections of the Honorable the Council of Revision thereto) be a Law of this State.

Ordered, That Mr. Schoonmaker and Mr. Hoffman, carry the said Bill, together with the said Objections, and a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

THE House met pursuant to Adjournment.

Resolved, That, by the fifteenth Article of the Constitution of this State, the Senate are required to keep the Journals of their Proceedings in the Manner heretofore accustomed, by the General Assembly of the Colony of New-York.

Resolved, That it was not accustomed, with the Assembly of the Colony of New-York, to permit their Members to enter the Reasons of their Dissent, upon the Journals of their Proceedings. Therefore,

Resolved, That the Senate, by permitting their Members to enter the Reasons of their Dissent, upon the Journals of their Proceedings, have in this Instance, departed from the Constitution.

Ordered, That Mr. Schoonmaker and Mr. Jay, carry a Copy of the preceding Resolutions, to the Honorable the Senate.

A Copy of a Resolution of the Honorable the Senate, delivered by Abraham Yates, jun. Esq; was read, and is in the Words following, viz.

“*In Senate, March 15, 1779.*”

“Resolved, That the Bill entitled, “*An Act for Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in respect of all Property within the same,*” is not approved of by two Thirds of the Members of this Senate now present.”

Ordered, That a Committee be appointed to prepare “*a Bill to confiscate and make Sale of the Estates of Persons, who have adhered to the Enemies of this State.*”

Ordered, That Mr. Benson, Mr. Harpur, Mr. Dodge, Mr. Brasher and Mr. Hoffman, be a Committee for that Purpose; and that they prepare and report the same at the next Meeting of the Legislature.

A Message from his Excellency the Governor, to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in the Words following, viz.

“Gentlemen

"Gentlemen of the Legislature,

"The Letter accompanying this Message, was delivered to me by the Gentlemen, whose Names are mentioned in it;—they now personally attend to represent to the Legislature, the distressed Situation of the Inhabitants of the State of *Massachusetts-Bay*, occasioned by the Scarcity of Flour and Grain.

Poughkeepsie, March 15, 1779.

GEO. CLINTON."

The Letter accompanying his Excellency the Governor's Message, was also read.

A Copy of an Order of the Honorable the Senate, delivered by *Henry Wisner, Esq;* was read, and is in the Words following, viz.

"In Senate, March 15, 1779.

Ordered, That Mr. *Scott* and Mr. *Platt*, be a Committee, to join with such Committee as the Honorable the House of Assembly shall appoint for the Purpose; to assign to the Gentlemen referred to in his Excellency the Governor's Message, of this Day; the Causes whereby this State is absolutely incapacitated to comply with the Request of the State of *Massachusetts-Bay*, for a Supply of Wheat and Flour."

Ordered, That Mr. *Benson*, Mr. *Harpur*, Mr. *Gelston*, Mr. *L'Homedieu* and Mr. *Dodge*, be a Committee to join with Mr. *Scott* and Mr. *Platt*, (a Committee appointed by the Honorable the Senate,) for the Purpose in the Order of Senate, on his Excellency the Governor's Message of this Day, mentioned.

Ordered, That Mr. *Schoonmaker* and Mr. *Jay*, carry a Copy of the above Order, to the Honorable the Senate.

Resolved, (if the Honorable the Senate concur herein) That the Legislature will immediately adjourn until the first Tuesday in *June* next, then to meet at *Kingston*, in the County of *Ulster*, or at such other Place as the Person administering the Government of this State for the Time being, shall by Proclamation, for that Purpose to be issued, assign and appoint.

Ordered, That Mr. *Schoonmaker* and Mr. *Jay*, carry a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until eight o'Clock To-Morrow Morning.

T U E S D A Y, 8 o'Clock, A. M. *March 16, 1779.*

THE House met pursuant to Adjournment.

Two of the Members of this House, viz. *Andrew Morehouse, Esq;* one of the Representatives from *Dutchess County*, and *Benjamin Soë, Esq;* a Representative from *Queens County*, having since the last Adjournment, departed without Leave, and contrary to the Injunction of the House; a Quorum could not, by Reason thereof, be convened to proceed on Business, or to concur with the Honorable the Senate, in a formal Adjournment of the Legislature:—And the Honorable the Senate, having this Day concurred in the Resolution of this House, of Yesterday, proposing an Adjournment of the Legislature; The Members present agreed to meet accordingly, on the first Day of *June* next, at *Kingston*, in the County of *Ulster*; or at such other Place as the Person administering the Government of this State for the Time being, shall by Proclamation to be issued for the Purpose, assign and appoint. And thereupon the House arose without Adjournment.

By Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT, to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.

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